



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Second day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6525 of 2022

1 M.GNANARAJ

[PETITIONERS / ACCUSED]

2 MANI

3 ANDAL

4 GOVINDAREDDY

5 SANTHI @ VIJAYA SANTHI

6 HEMANATHAN

Vs

STATE BY

[RESPONDENT]

THE SUB INSPECTOR OF POLICE

ALL WOMEN POLICE STATION,

TIRUTTANI,

TIRUVALLUR DISTRICT.

CRIME NO.9 OF 2022.

For Petitioners : M/S.C.CHOKKALINGAM Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 498(A) and 506(i) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.9 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The defacto complainant is the wife of the 1st petitioner. The incident alleged to have taken place on 13.01.2022, where the defacto complainant has given a complaint on 04.02.2022 and the same has been registered in Crime No.9 of 2022 on 10.03.2022. After preliminary investigation the First Information Report indicates that there is a matrimonial dispute between the husband and wife, hence the complaint.



3.The learned counsel appearing for the petitioners submits that one Umapathi, paramour of the defacto complainant went to the house of the 1st petitioner and there was a physical altercation. In this connection, the 1st petitioner has given a complaint before R.K.Pet police station and to counter blast the same, the defacto complainant has given the complaint belatedly.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Pallipet, on condition that each of the petitioners shall execute a separate bonds for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
22/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
PALLIPET.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, TIRUTTANI,
TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.CHOKKALINGAM Advocate on payment of necessary charges SR.NO.4268

CRL OP.6525/2022

Date :22/03/2022

JPA 25/03/2022