



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Fourth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6849 of 2022

1 C.KODEESWARAN
2 C.SELVAPRAKASH

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
H-6, RK NAGAR POLICE STATION,
RK NAGAR, CHENNAI
(CRIME NO.151/2022)

[RESPONDENT]

For Petitioner : M/S S.REVATHI Advocate

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

PETITION FOR ANTICIPATORY BAIL 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 under Sections 294(b), 323, 506(i) of IPC, in Crime No.151 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, there was some wordy quarrel between the defacto complainant and his wife. Further, the brother of the defacto complainant's wife attacked the defacto complainant with empty hand and used filthy languages. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) submits that it is the case in counter. Hence, he opposed for the grant of anticipatory bail to the petitioner.



5. Due to the dispute between the husband and wife and the petitioners herein are wife's brother attacked the defacto complainant and caused injury. The case in counter has also filed by the sister of the petitioners against the husband who is the defacto complainant in this case.

6. Taking note of the case and case in counter, which has arisen between the family dispute, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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 XV Metropolitan Magistrate, Chennai, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Fifty Thousand Only), each with two sureties, each for a like sum to the satisfaction of the learned Magistrate, failing which the anticipatory bail shall stand canceled and on further condition that:

(a) 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;

(b) the petitioners shall report before the Investigating Officer as and when required for interrogation.

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

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

(e) 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;



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

-sd/-

24/03/2022

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 XV METROPOLITAN MAGISTRATE
MAGISTRATE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 INSPECTOR OF POLICE,
H-6, RK NAGAR POLICE STATION,
RK NAGAR, CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S S.NAMBIRAJAN Advocate on payment of necessary charges
SR.NO.4493

CRL OP.6849/2022

Date :24/03/2022

RVR 29/03/2022