



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7217 of 2022

1 KANTHAN [PETITIONERS / ACCUSED]
2 GOVINDHASAMY
3 RAMKUMAR
4 JAYALAKSHMI
5 YASOTHAI
6 AARTHI

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
VANAPURAM POLICE STATION,
TIRUVANNAMALAI DISTRICT.
CRIME NO.74 OF 2022.

For Petitioner : M/S.D.BALAJI 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 offence punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) & 307 of IPC r/w Section 4 of Women Harassments Act in Crime No.74 of 2022, on the file of the respondent police, seek anticipatory bail.

2. In a dispute regarding sharing of well water among the two family members, physical altercation has erupted on 16.03.2022, where the defacto complainant and two others were injured and admitted in the hospital. For their injury on the part of the petitioners, they have given a counter case, which is registered in Crime No.75 of 2022 on the same day and the same is under investigation.



3. It is a case in counter and the dispute between the two families in respect of sharing the water, hence this Court is of the view that anticipatory bail may be granted to these petitioners with certain conditions.

WEB COPY

4. 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, Thandrampet, Tiruvannamalai District** 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 stay at Vellore and report before the Inspector of Police, Vellore Town Police Station, Vellore 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.

-sd/-

29/03/2022

WEB COPY

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,
THANDRAMPET, TIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VANAPURAM POLICE STATION,
TIRUVANNAMALAI DISTRICT.

5 THE INSPECTOR OF POLICE
VELLORE TOWN POLICE STATION,
VELLORE.

+1 CC to M/S.D.BALAJI Advocate on payment of necessary charges
SR.NO.4851

CRL OP.7217/2022

Date :29/03/2022

TA-05/04/2022