



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirty First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7396 of 2022

1 GANDHIMATHI
2 SOUNTHARIYA
3 SARANYA

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE,
ATTUR TOWN POLICE STATION,
SALEM DISTRICT.
CR.NO.85 OF 2022.

[RESPONDENT]

For Petitioner : M/S. K.KALAIKOVAN 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 apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 324 and 506 (2) of IPC in Crime No.85 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3. On a complaint given by one Valarmathy, wife of Sekar in the hospital, case has been registered against these petitioners and one Rajendiran for trespassing into the house of the defacto complainant and causing injuries by attacking her with hands and legs. Particularly Rajendiran/A1 and his son Kannan alleged to have attacked with wooden log. As far as these petitioners are concerned, they stabbed the defacto complainant and also kicked her. Accident



register indicates that lacerated wound on the left side of the scalp and internal injury.

4. The learned counsel for the petitioner has submitted that these petitioners are lady members of the family and the husband of the defacto complainant Sekar and Al/Rajendiran are brothers and there is property dispute between them which has lead to present complaint.

5. Considering the fact that the overt act attributed to these petitioners and the accident register entries, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 No.I, Attur**, on condition that the petitioners shall execute separate bonds for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) each**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Investigating Officer as and when required for an interrogation ;**

(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



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accordance with law as if the conditions have been imposed and the petitioners are 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/-
31/03/2022

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,
NO.I, ATTUR, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
ATTUR TOWN POLICE STATION,
SALEM DISTRICT.

+2 CC to M/S. K.KALAIKOVAN Advocate on payment of necessary charges SR.NO.4928

CRL OP.7396/2022

Date :31/03/2022

TA-08/04/2022