



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the First day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7638 of 2022

1 G.ELUMALAI
2 E. RAMANI

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SUNGUVARCHATTIRAM POLICE STATION,
KANCHEEPURAM DISTRICT.
IN CRIME NO. 194/2022

[RESPONDENT]

For Petitioner : M/S. X.SELVAM SOUNDER Advocate

For Respondent : M/S.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 for the alleged offence under Sections 294(b), 341, 323, 324 of IPC and Under Sections 4 & 5 of Tamil Nadu Harassment of Women Act, in Crime No.194 of 2022, on the file of the respondent police, seeks anticipatory bail.

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

3. It is a case and case in counter, where dispute between brothers regarding sharing of land, which leads to physical altercation, due to which, the defacto complainant in this case has sustained simple injury.



4. Taking note of the fact that the person who sustained injuries in the alleged occurrence has been discharged from the hospital, this Court inclined to grant anticipatory bail to the petitioners with a condition that the petitioners shall stay at Vellore for a period of fifteen days.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court at Sriperumbudur, on condition that the petitioners shall execute separate bond for a sum of Rs.25,000/- each (Rupees Twenty Five Thousand Only) each, 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) the petitioners and the sureties shall affix his 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioners shall report before the Vellore Town Police Station daily at 10.30.a.m., for a period of fifteen days and thereafter as and when required for interrogation;

(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 has 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

01/04/2022

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,
SRIPERUMBUDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
SUNGUVARCHATTIRAM POLICE STATION,
KANCHEEPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
VELLORE TOWN POLICE STATION,
VELLORE.

+1 CC to M/S. X.SELVAM SOUNDER Advocate on payment of necessary
charges SR.NO. 5161

CRL OP.7638/2022

Date :01/04/2022

RW 06/04/2022