



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8285 of 2022

1 KAVITHA [PETITIONERS / ACCUSED]
2 PUGALENTHIRAN
3 DEVA @ DEVAKUMAR

Vs

STATE REP BY [RESPONDENT]
INSPECTOR OF POLICE,
VALANGAIMAN POLICE STATION,
THIRUVARUR DISTRICT
(CRIME NO.160 OF 2022)

For Petitioners : M/S S.MAYILNATHAN 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 herein, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506(ii) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.160 of 2022, on the file of the respondent police, seek anticipatory bail.

2. In respect of land, a decree in favour of the de facto complainant, these petitioners had cut the tree standing on the land in dispute and when that was questioned by the de facto complainant, these petitioners have attacked. Hence a case has been registered.

3. It is also found from the record that the counter case has been filed by Bhavani against the de facto complainant and his family members and the same has been enquired in CSR.No.97 of 2022.



4. Taking note of the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 District Munsif cum Judicial Magistrate, Valangaiman, on condition that each the petitioners shall execute a separate bond 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 Investigating Officer 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/-

08/04/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VALANGAIMAN.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VALANGAIMAN POLICE STATION,
THIRUVARUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S S.MAYILNATHAN Advocate on payment of necessary
charges SR.NO.5542

CRL OP.8285/2022

Date :08/04/2022

JPA 13/04/2022