



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8045 of 2022

1 RAJA @ RAJENDRAN
2 KARTHIK

[PETITIONERS / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
RASIPURAM POLICE STATION,
NAMAKKAL DISTRICT.
CRIME NO.129 OF 2022.

[RESPONDENT]

For Petitioners : M/S.W.CAMYLES GANDHI 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 offence punishable under Sections 294(b), 323, 427, 506(i), 354 of IPC r/w Section 4 of Women Harassment Act, 2002, in Crime No.129 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioners are first and third accuse in a case registered against them in Crime No.129 of 2022 for the alleged offence punishable under Sections 294(b), 323, 427, 506(i), 354 of IPC r/w Section 4 of Women Harassment Act, 2002. The incident has taken place on 30.03.2022. The complaint has been given by one Kalaiselvi, alleging that she was assaulted by these petitioners when there was wordy altercation between them in connection with drainage passing through the land of the defacto complainant. The Accident Register also indicates that the petitioner has sustained abrasion over right side chest, fore arm and right occipital region. The injuries are simple in nature, for which the defacto complainant has taken treatment as out-patient.



3. Considering the nature of the injury, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Rasipuram, 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 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 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/-

06/04/2022

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,
RASIPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
RASIPURAM POLICE STATION,
NAMAKKAL DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary
charges SR.NO.5270

CRL OP.8045/2022

Date :06/04/2022

JPA 19/04/2022