



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eighteenth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8467 of 2022

1 SAVITHIRI
2 DILLI

[PETITIONERS/ ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VENGAL POLICE STATION,
TIRUVALLUR DISTRICT.
(CR.NO. 7 OF 2022)

[RESPONDENT]

For Petitioner : M/S. R.SASIKUMAR Advocate

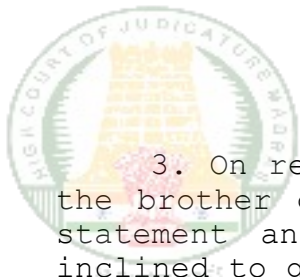
For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 279, 337 of IPC @ 294(b), 324, 506(ii) of IPC later altered to 302 of IPC in Crime No.7 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioners herein are A2 and A3. The respondent police registered a case against the petitioners in Crime No. 7 of 2022 based on the statement given by one Munusamy. According to his statement given to the Police on 06.01.2022, he sustained injuries in a road accident and after two days he found difficulty to pass urine and hence got admitted in the hospital, since it was a self-inflicted accident, he requested the Police not to take any further action. However, the said Munusamy succumbed to death subsequently. Thereafter, brother of the said Munusamy has given statement to the Police stating that the deceased Munusamy did not sustained injury due to the road accident but he was assaulted by one Govindhraj and one Venkatesan, since the said Munusamy misbehaved with the first petitioner herein.



3. On reading of the FIR later altered based on the statement of the brother of the deceased Munusamy and the facts disclosed in the statement and further co-accused enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioners.

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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 No.II, Thiruvallur, on condition that the petitioners shall execute separate bond for a sum of Rs.50,000/- (Rupees Fifty 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 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;

(b) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioners shall report before the Investigating Officer daily at 10.30. a.m., until further orders.

(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/-

18/04/2022

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,
NO.II, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VENGAL POLICE STATION,
TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. R.SASIKUMAR Advocate on payment of necessary
charges SR.No.5739

CRL OP.8467/2022

Date :18/04/2022

CSK 25/04/2022