



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eleventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8238 of 2022

1 PICHANDI
2 SIVAKUMAR
3 KAMSALA

[PETITIONERS / ACCUSED]

Vs

THE INSPECTOR OF POLICE
KALASAPAKKAM POLICE STATION,
TIRUVANNAMALAI DISTRICT.
CRIME NO.127/2022.

[RESPONDENT]

For Petitioner : M/S.R.BALAKRISHNAN 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 at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 307, 324, 506(ii) of IPC in Crime No.127 of 2022, on the file of the respondent police, seek anticipatory bail.

2. Due to property dispute, which is owned by the de facto complainant and the petitioners herein jointly, quarrel has erupted in which the petitioners have attacked the de facto complainant and four of his family members with knife and wooden log.

3. The perusal of the First Information Report and the Accident Register indicate that the 1st petitioner and 2nd petitioner have caused major injury to the de facto complainant and four others. The 3rd petitioner is concerned, she has attacked with hands and thrown stones on Hema, who is the sister of the de facto



complainant. The 3rd petitioner has not sustained any serious injury. Therefore, this Court is not inclined to grant anticipatory bail to the petitioners 1 and 2. This petition is allowed in respect of 3rd petitioner alone with certain conditions.

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4. Accordingly, the 3rd petitioner is ordered to be released on bail in the event of arrest or on her 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, Kalasapakkam, on condition that the 3rd petitioner shall execute a 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 3rd petitioner 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 3rd petitioner 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 3rd petitioner shall report before the respondent police as and when required for interrogation;

(d) the 3rd petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the 3rd petitioner 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 3rd petitioner in accordance with law as if the conditions have been imposed and the 3rd petitioner 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.

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-sd/-

11/04/2022

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, KALASAPAKKAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
KALASAPAKKAM POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.BALAKRISHNAN Advocate on payment of necessary charges SR.NO. 5517

CRL OP.8238/2022

Date :11/04/2022

RW 19/04/2022