



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Thirteenth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8598 of 2022

1 K.SEKAR [PETITIONERS / ACCUSED]
2 V.JEEVA
3 K.VENGAIAPPAN

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ACHARAPAKKAM POLICE STATION,
CHENGALPET DISTRICT
CRIME NO. 118/2022

For Petitioner : M/S. M.ARUMUGAM 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 herein are arrayed as A4, A5 and A6, who apprehend arrest for the alleged offence under Sections 294(b), 323, 324 and 506(ii) of IPC r/w Section 4 of Women's Harassment Act, in Crime No.118 of 2022 on the file of the respondent police, seek anticipatory bail.

2. On reading of the FIR indicates that one Thirumal had picked a quarrel with one Veerappan, husband of the defacto complainant on 05.04.2022 at about 3.00 p.m, when the said Thirumal was advised by Veerappan to go home, the said Thirumal had removed his dress and invited Veerappan for a fight and attacked him with the wooden log on his head, face and back. The other accused persons Sekar, Thulukkanam, Jeevanandam, Vengai were joined together attacked and kicked Veerappan. Hence the said Veerappan got admitted in the hospital for treatment and in the hospital, the police has recorded the report from his wife and registered the case.



4. On perusal of the FIR and the Accident Register indicate that the injury found and treated relates to the attack with wooden log by Thirumal. These petitioners have used their legs to kick the victim.

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5. Taking note of the other two accused no serious overt act attributed were arrested, this Court is inclined to grant anticipatory bail to the petitioners on 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, Madurantakam, Chengalpet District, on condition that the petitioners shall execute separate bond 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 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 respondent police 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.

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-sd/-
13/04/2022

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,
MADURANTAKAM, CHENGALPET DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ACHARAPAKKAM POLICE STATION,
CHENGALPET DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. M.ARUMUGAM Advocate on payment of necessary charges SR.NO. 5641

CRL OP.8598/2022

Date :13/04/2022

RW 20/04/2022