



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Nineteenth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8847 of 2022

1 KUMAR [PETITIONERS / ACCUSED]
2 VASANTH @ VASANTHAKUMAR
3 YUGESH @ YUGESH KUMAR
4 MAGESH

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
KANAKAMMA CHATRAM POLICE STATION,
KANAKAMMA CHATRAM,
TIRUVALUR DISTRICT.
CRIME NO.98/2022

For Petitioner : M/S. B.YOGAPRIYA Advocate

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

For Intervener : M/S.R.PARTHIBAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioners/A1 to A4, 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 r/w Section 4 of Women Harassment Act in Crime No.98 of 2022, seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioners, the learned Government Advocate (Crl.Side) appearing for the respondent and the learned counsel appearing for the defacto complainant.



3.The allegation against the petitioners is that regarding sharing of the property left by the father, the petitioners and the defacto complainant had engaged in free fight and causing injury to each other, the respondent police has registered a case against these petitioners in Crime No.98 of 2022 and a case in counter has also been filed by the petitioners against the defacto complainant and others.

4.Accident Register of the injured persons is circulated by the learned Government Advocate (crl.side).

5.The Accident Register indicates that lacerated wound over the skull, forehead and elbow on these three persons namely, Sanmugavalli, Kuppan and Latha. Likewise, all those injuries are simple in nature.

6.Considering the relationship between the parties, this Court is inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the petitioners are ordered to be released on anticipatory 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, Tiruttani, on condition that each of the petitioners 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 learned Magistrate concerned, failing which the anticipatory bail shall stand cancelled 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 Investigation Officer daily at 4.00 p.m, until further order.

(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/-

19/04/2022

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,
TIRUTTANI.

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

3 THE INSPECTOR OF POLICE,
KANAKAMMA CHATRAM POLICE STATION,
KANAKAMMA CHATRAM, TIRUVALUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. M.V.DEENADHAYALAN Advocate on payment of necessary charges SR.NO. 5843

CRL OP.8847/2022

Date :19/04/2022

RW 21/04/2022