



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9826 of 2022

1 AMUTHA
2 KOLANJI

[PETITIONERS/ ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KUNNAM POLICE STATION,
PERAMBALUR.
(CRIME NO.268/2017)

[RESPONDENT]

For Petitioner : M/S M.R. ELAVARASAN 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 alleged offences under Sections 294(b), 323, 355 and 506(ii) of IPC in Crime No.268 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The complaint has lodged by one Ramachandran, who is the husband of the first petitioner and son-in-law of the second petitioner seek anticipatory bail.

3. Considering the nature of the complaint, it appears that due to some domestic wordy quarrel between husband and wife, the incident has been taken place and further there is no evidence for injury alleged to have been sustained by the de facto complainant, hence, this Court is inclined to grant anticipatory bail to the petitioners.

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, Perambalur, on condition that each of the petitioners shall execute separate 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, failing which the anticipatory bail shall stand canceled 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 report before the Investigating Officer as and when required for interrogation;

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

(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 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;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

5. If the petitioners fails to appear before the respondent police on receipt of summons, the respondent police is at liberty to arrest the petitioners without any reference to this Court.

-sd/-
28/04/2022

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,
PERAMBALUR.

2 THE CHIEF JUDICIAL MAGISTRATE
PERAMBALUR DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KUNNAM POLICE STATION,
PERAMBALUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S M.R. ELAVARASAN Advocate on payment of necessary
charges SR.No.6488

CRL OP.9826/2022

Date :28/04/2022

CSK 06/05/2022