



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.10776 of 2022

1 POORNIMA [PETITIONERS / ACCUSED]
2 SUDHA RAMESH

Vs

THE STATE REP.BY [RESPONDENT]
THE INSPECTOR OF POLICE
METTUPALAYAM,
COIMBATORE.
CRIME NO.354/2022.

For Petitioner : M/S.PERIASWAMY I. Advocate

For Respondent : MR.N.S.SUGANTHAN, 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 offences under Sections **294(b), 341, 323, 324 & 506(ii) of IPC** in Crime No.354 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to property dispute, the petitioners along with other relatives said to have abused the defacto complainant, who is the brother of the first petitioner and his family members assaulted them, thereby caused injuries to them and also criminally intimidated them.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they had not committed any such offences as alleged by the prosecution. He further submitted that they had been falsely implicated in this case. Hence, he pleads for anticipatory bail.



4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the injured persons were discharged from the hospital and there is one previous case pending as against these petitioners.

5. Taking into consideration of the facts that the injured have been discharged from the hospital and also the fact that the petitioners are relatives of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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, Mettupalayam, Coimbatore District** on condition that each of the petitioners shall execute a separate bond for a sum of Rs.25,000/-only (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) 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 petitioner in accordance with law as if the conditions has been imposed and the 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;



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

-sd/-

06/05/2022

WEB COPY

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,
METTUPALAYAM, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
METTUPALAYAM,
COIMBATORE.

+1 CC to M/S.PERIASWAMY I. Advocate on payment of necessary charges SR.NO.6856

CRL OP.10776/2022

Date :06/05/2022

TA-12/05/2022