



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.10783 of 2022

1 RADHA [PETITIONERS / ACCUSED]
2 R.PRABAKARAN
3 V.RAJA @ RAJAKUMAR
4 KUDIYA

Vs

STATE REP BY , [RESPONDENT]
THE INSPECTOR OF POLICE,
THIRUVARUR TALUK POLICE STATION,
THIRUVARUR DISTRICT
CRIME NO.882/2021

For Petitioner : M/S.P.MUTHAMIZH SELVAKUMAR Advocate

For Respondent : MR.N.S.SUGANTHAN, Government 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), 323, 324 & 506(ii) of IPC in Crime No.882 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to family dispute, the petitioners said to have assaulted the defacto complainant with wooden log and thereby, caused injuries to him and also threatened him with dire consequences.

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 has been discharged from the hospital.

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5. Considering the facts of the case and that now, the injured has been discharged from the hospital, custodial interrogation of the petitioners are not necessary. Hence, 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, Thiruvarur 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.

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-sd/-

06/05/2022

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,
THIRUVARUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIRUVARUR TALUK POLICE STATION,
THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.P.MUTHAMIZH SELVAKUMAR Advocate on payment of
necessary charges SR.NO. 6805

CRL OP.10783/2022

Date :06/05/2022

RW 12/05/2022