



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12433 of 2022

1 R.MEENAKSHI @ SIVARANJANI
(AS PER FIR SIVARANJANI)
2 R.RAVI

[PETITIONERS / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
C-2, PERIYAPALAYAM POLICE STATION,
PERIYAPALAYAM,
THIRUVALLUR DISTRICT.
CRIME NO.209 OF 2022.

[RESPONDENT]

For Petitioner : M/S.B.GANESHA MOORTHY Advocate

For Respondent : MR.V.MEGHANATHAN, 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 offences punishable under Sections 294(b), 324 and 506(ii) of IPC read with Section 4 of Woman Harassment Act in Crime No.209 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are neighbours and there was a quarrel between them regarding the compound wall. Due to which, the petitioners assaulted the defacto complainant with hands and also abused him in unparliamentary words. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are husband and wife and they are innocent persons and they have not committed any offence as alleged by the prosecution.



The second petitioner has also lodged a complaint before the respondent police in Cr.No.210 of 2022 against the defacto complainant. Therefore, he prays to grant anticipatory bail to the petitioners.

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4. The learned Government Advocate would submit that the petitioners attacked the defacto complainant and caused injuries. He would further submit that the injured has been treated as out-patient. They lodged a complaint with each other. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case and also considering the fact that the victim has been treated as out-patient and there is a counter case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Uthukottai, Thiruvallur District, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter 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 petitioner in accordance with law as if the conditions have 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]**.



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
26/05/2022

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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,
UTHUKOTTAI, THIRUVALLUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
C-2, PERIYAPALAYAM POLICE STATION,
PERIYAPALAYAM,
THIRUVALLUR DISTRICT.

CC to M/S.B.GANESHA MOORTHY Advocate on payment of necessary charges

CRL OP.12433/2022

Date :26/05/2022

TA-01/06/2022