



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRIMINAL ORIGINAL PETITION No.12825 of 2022

1 SUNDARI
2 RADHA

[PETITIONERS / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
S-5 PALLAVARAM POLICE STATION,
CHENNAI 600 043.
(CRIME NO.410 OF 2022)

[RESPONDENT]

For Petitioners : M/S.P.AGILAN Advocate

For Respondent : MR.N.MUTHUVEL, 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, 355, 506(ii) of IPC and Section 4 of TNPHW Act read with Section 4 [1] [j] of TNP Act in Crime No.410 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are mother and aunt of the husband of the defacto complainant. On the date of occurrence, the husband of the defacto complainant came in a drunken mood along with his mother and aunt and attacked the defacto complainant with stones and cheppals, as a result of which the present case has been registered.

3. The learned Government Advocate [Crl. Side] submitted that due to misunderstanding between the defacto complainant and her husband, the present complaint came to be registered.



4. In view of the above submissions and taking note of the facts and circumstances of the case and also the relationship between the parties, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 No.II, Tambaram, 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 petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and their 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 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].

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

-sd/-
01/06/2022

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,
NO.II, TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
S-5 PALLAVARAM POLICE STATION,
CHENNAI 600043.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.P.AGILAN Advocate on payment of necessary charges
SR.NO.8276

CRL OP.12825/2022

Date :01/06/2022

JPA 03/06/2022