



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.12829 of 2022

1 KANNU PAIYAN
2 RAJATHI

[PETITIONERS / ACCUSED]

Vs

INSPECTOR OF POLICE
JOLARPET POLICE STATION,
THIRUPATHUR DISTRICT.
CRIME NO.152 OF 2022.

[RESPONDENT]

For Petitioner : M/S.E.KANNADASAN Advocate

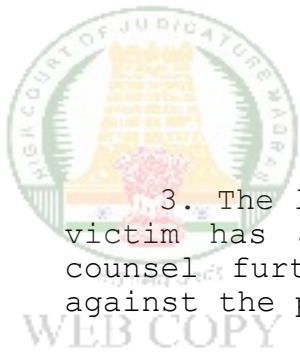
For Respondent : MR. N.MUTHUVEL, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 323, 506(ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 in Crime No.152 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's family is residing in the ground floor and the petitioners are residing in the first floor. In a property dispute between the family members, the petitioners are said to have attacked the defacto complainant and caused injuries and there is a case in counter. The respondent police have registered FIR based on complaint given by both the sides in Cr.Nos.152 & 153 of 2022.



3. The learned Government Advocate [Crl. Side] submitted that the victim has already been discharged from the hospital. The learned counsel further submitted that there is no previous case pending against the petitioners.

4. In view of the above submissions and taking note of the facts and circumstances of the case, the antecedents of the petitioners and also the fact that the injured has already been discharged from the hospital, 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.I, Thirupathur, 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.

WEB COPY

-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.I, THIRUPATHUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
JOLARPET POLICE STATION,
THIRUPATHUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.E.KANNADASAN Advocate on payment of necessary charges SR.NO. 8312

CRL OP.12829/2022

Date :01/06/2022

RW-03/06/2022