



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.12941 of 2022

1 KAMARAJ [PETITIONERS / ACCUSED]
2 SAMIDURAI
3 VELAVAN
4 MURUGESAN

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
EDAIYUR POLICE STATION,
TIRUVARUR DISTRICT.
(CRIME NO.75 OF 2022)

For Petitioner : M/S.K.MURUGANANTHAM Advocate

For Respondent : M/S.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/A2 to A5, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 294(b), 323, 506(ii) of IPC read with Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Crime No.75 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are neighbours. Due to dispute between the petitioners and the defacto complainant in getting water from the Panchayat Board Pipe, the petitioners are said to have attacked the de facto complainant and caused injuries as a result of which the present case has been registered.

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. The learned counsel for the petitioners submitted that A1 in this case has already been released on bail.

5. In view of the submissions of the learned counsel for the petitioners and the learned Government Advocate [Crl. Side] and taking note of the facts and circumstances of the case 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.

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, Tiruthuraipoondi, 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

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,
THIRUTHURAIPOONDI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
EDAIYUR POLICE STATION,
TIRUVARUR DISTRICT.

+1 CC to M/S.K.MURUGANANTHAM Advocate on payment of necessary charges SR.NO.8316

CRL OP.12941/2022

Date :01/06/2022

TA-06/06/2022