



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.12977 of 2022

1 P.VINNARASU
2 V.MOHANA

[PETITIONERS / ACCUSED]

Vs

THE STATE REPRESENTED BY
INSPECTOR OF POLICE,
C2 PERIYAPALAYAM POLICE STATION,
THIRUVALLUR DISTRICT
CRIME NO.111/2022

[RESPONDENT]

For Petitioner : M/S.S.SENGKODI Advocate

For Respondent : MR. V.J.PRIYADARSANA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/A1 & A2 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 353 & 506(i) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.111 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioners and the de facto complainant who is working as a nurse in Primary Health Centre. It is alleged that the petitioners have prevented her from doing her duty and also threatened and abused her in unparliamentary words. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.side) would submit that the petitioners have abused the de facto complainant in filthy language and threatened her with dire consequences. He would further submit that no one has sustained any injuries. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the 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 District Munsif - cum - Judicial Magistrate, Uthukotai, Thiruvallur District, on condition that each of the petitioners shall execute a 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 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 229A IPC.

WEB COPY

-sd/-

08/06/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, UTHUKOTAI,
THIRUVALLUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
C2 PERIYAPALAYAM POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.S.SENGKODI Advocate on payment of necessary charges
SR.NO. 8616

CRL OP.12977/2022

Date :08/06/2022

RW-14/06/2022