



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14224 of 2022

1 E.SANTHALAKSHMI [PETITIONERS / ACCUSED]
2 S.MOHANALAKSHMI
3 D.KEERTHI PRASANTH
4 S.EGNESHWARAN
5 D.MALATHI
6 D.SINDHU @ SINDHUJA BALAJI

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
J-9 THURAIPAKKAM POLICE STATION,
CHENNAI.
CRIME NO.774 OF 2021.

For Petitioners : M/S B.KARTHIKEYAN Advocate

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

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 alleged offences under Sections 147, 294 (b), 323, 324 of IPC, in Crime No.774 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to family dispute, there was a wordy quarrel between the petitioners and the defacto complainant. It is also alleged that the petitioners attacked the defacto complainant with wooden log and caused injuries. Hence, the complaint.



3. The learned counsel appearing for the petitioners would submit that the petitioners were earlier granted anticipatory bail on 14.03.2022 in Crl.O.P.No.5759 of 2022. Due to Covid-19 pandemic situation, the petitioners could not able to execute the sureties as directed by this Court. Therefore, the petitioners filed another petition for anticipatory bail and the same was dismissed for the reason that the petitioners failed to execute the sureties as directed by this Court. Now, the petitioners are ready and willing to abide by any conditions as imposed by this Court. Therefore, the petitioners have again filed the present petition seeking for anticipatory bail. On instructions, he would further submit that the petitioners are ready to deposit an amount of Rs.10,000/- to the credit of the Tamil Nadu Legal Services Authority and prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels and also taking note of the fact that the petitioners have come forward to deposit an amount of Rs.10,000/- to the credit of the Tamil Nadu Legal Services Authority, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non refundable deposit to the credit of the Tamil Nadu Legal Services Authority and on such deposit 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-2, Alandur, on condition that each of the petitioners shall execute a 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 petitioner 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 deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non refundable deposit to the credit of the Tamil Nadu Legal Services Authority.

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders.



[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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].

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

-sd/-

21/06/2022

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.2, ALANDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
J-9 THURAIPAKKAM POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SECRETARY,
TAMIL NADU LEGAL SERVICES AUTHORITY
HIGH COURT, MADRAS.

+1 CC to M/S B.KARTHIKEYAN Advocate on payment of necessary charges SR.NO.9673

CRL OP.14224/2022

Date :21/06/2022

JPA 24/06/2022