



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.14917 of 2022

1 P.GANDHI
2 K.TAMIZHSELVI

[PETITIONERS / ACCUSED]

Vs

INSPECTOR OF POLICE
THANIPADI POLICE STATION,
TIRUVANNAMALAI DISTRICT.
CRIME NO.109 OF 2021.

[RESPONDENT]

For Petitioner : M/S.S.KUMARADEVAN Advocate

For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

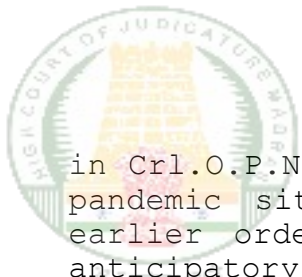
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 307 & 506(ii) of IPC in Crime No.109 of 2021, seek anticipatory bail.

2. The case of the prosecution is that there was some matrimonial dispute between one Kala/A4 and her husband Ayyappan. When the de-facto complainant, who is the close relative of the said Ayyappan tried to compromise the issue, the petitioners along with other accused attacked the de-facto complainant and caused injuries to him. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners has already been granted anticipatory bail by this Court



in CrI.O.P.No.7833 of 2021 dated 26.04.2021. However, due to Covid-19 pandemic situation, the petitioners could not able to comply the earlier order passed by this Court. Therefore, he prays to grant anticipatory bail to the petitioners.

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4. The learned Additional Public Prosecutor would submit that the petitioners attacked the de-facto complainant and caused injuries. He would further submit that the injured has been discharged from the hospital on 29.03.2021. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also considering submission made by the learned counsel appearing for the petitioners, 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, Thandarampet, 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.

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-sd/-
28/06/2022

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,
THANDARAMPET.

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

3 INSPECTOR OF POLICE
THANIPADI POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.KUMARADEVAN Advocate on payment of necessary charges SR.NO. 10168

CRL OP.14917/2022

Date :28/06/2022

RW-04/07/2022