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Crl.O.P.No.31510 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31510 of 2024

RAJAMANIKKAM

S/o.Vengidusamy and 2 others

Petitioner(s)

Vs

The State Rep by

The Inspector of Police, Udumalpet Police Station,
Tiruppur District. (Crime No.812 of 2024)

Respondent(s)

For Petitioner(s):

P. Narayana Prasadh

M.N.Balakrishnan

S.N.Arunkumar

For Respondent(s):

Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 in Crime No.812 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, there was a family dispute between the defacto complainant's sister-in-law one Hari Priya and her husband



one Muralidharan/ A3, thereby, wordy quarrel arose between the defacto complainant and Muralidharan and his family members, thereby A1 abused and attacked the defacto complainant with helmet, further threatened him with dire consequences. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that petitioners are innocent and have not committed any offence, as alleged by the prosecution. He would further submit that the first petitioner is the father of second and third petitioner herein and the fourth petitioner is a close relative of the first petitioner. Further, the third petitioner married to one Hari Priya, who is the sister-in-law of the defacto complainant, out of their wed lock, begotten a male child. He also submitted that the defacto complainant is having illegal intimacy with the said Hari Priya, thereby, she is living separately and retains her minor child, due to which, a wordy quarrel arose and both parties exchanged blows each other, thereby the first petitioner herein sustained head injury. He also submitted that the first petitioner had lodged a complaint against the defacto complainant and others and the same has been registered in Crime No.811 of 2024. He would further submit that the petitioners are ready to abide by any condition, that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of



anticipatory bail to the petitioners.

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4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioners, stating that the petitioners herein, due to wordy quarrel, abused and assaulted the defacto complainant using helmet, thereby the defacto complainant sustained injuries. He further submitted that there is no previous case against the petitioners and there is also a case in counter and the investigation is still pending.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and considering that there is a case in counter and nature of offence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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, Udumalpet** on condition that 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 2 to 4 shall report before the Anaimalai Police Station everyday at 10:30 a.m., for a period of two weeks and thereafter, every Saturday at 10:30a.m., until further orders. The first petitioner 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.



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[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 269 of B.N.S.

18.12.2024

stn

To

1. The State Rep by
The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.
(Crime No.812 of 2024)

A.D. JAGADISH CHANDIRA, J.



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