

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Thirtieth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.8279 of 2021

BIRUNDHA

[ PETITIONER / ACCUSED ]

Vs

STATE REP.BY

[ RESPONDENT ]

SUB INSPECTOR OF POLICE,  
THANDARAMPATTU POLICE STATION,  
THIRUVANNAMALAI DISTRICT.  
CRIME NO.29 OF 2021

For Petitioner : M/S. R.BALAKRISHNAN Advocate

For Respondent : MR.T.SHUNMUGARAJESWARAN Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Section 147, 294(b), 323, 324, 379, 506(i) of IPC and Section 4 of Women Harassment Act, in Crime No.29 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. The case of the prosecution is that, the petitioner's husband borrowed a sum of Rs.3,00,000/- from the defacto complainant's mother and failed to repay the same. When this was questioned by the complainant, the petitioner along with his family members went to the complainant's house, abused her and attacked her with hands and caused injuries. Hence, the complaint.

4. The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and she has been falsely implicated in this case. Hence, he seeks for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Criminal Side) appearing for the State would submit that the injured has been treated as out patient and no previous case is pending against the petitioner.

6. Taking into consideration the facts and circumstances of the case and also the submission made by the learned Government Advocate (Crl. side) that the injured has been treated as out patient and also that no previous case is pending against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned District Munsif-cum-Judicial Magistrate, Thandarampattu, within a period of 15 days from the date of receipt of a copy of this order, on her executing 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 and on further condition that:

[a] 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

30/04/2021

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,  
THANDARAMPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVANNAMALAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

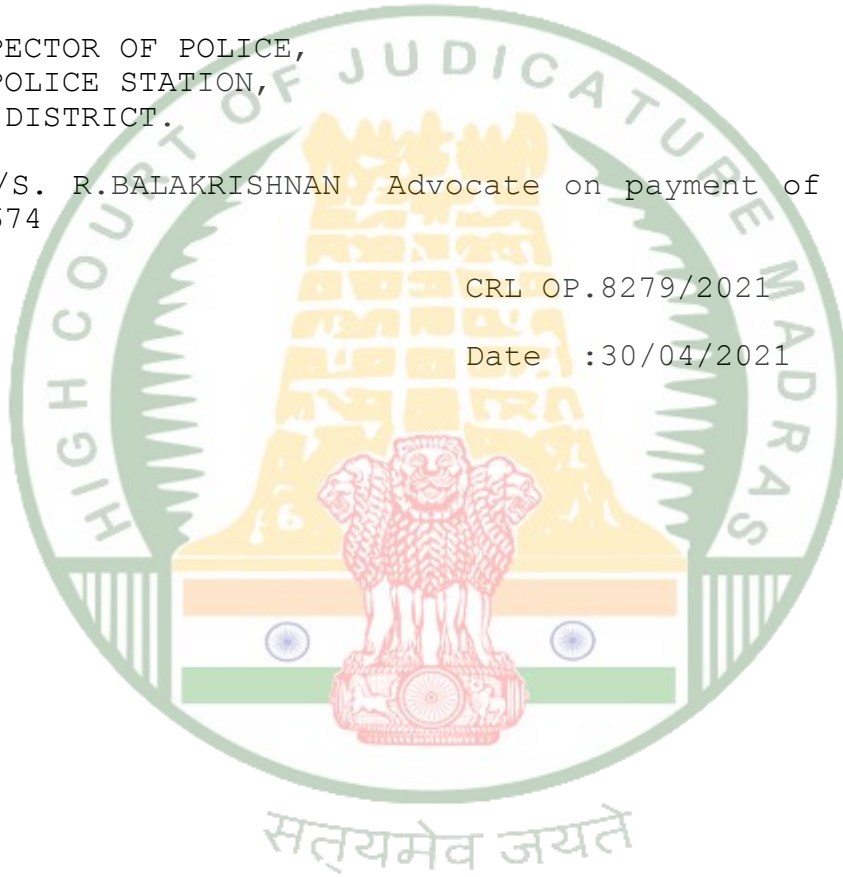
4 THE SUB INSPECTOR OF POLICE,  
THANDARAMPATTU POLICE STATION,  
THIRUVANNAMALAI DISTRICT.

+1CC to M/S. R.BALAKRISHNAN Advocate on payment of necessary  
charges SR NO.5674

CRL OP.8279/2021

Date :30/04/2021

MK:15/06/2021



WEB COPY