

In the Court of the Vacation Sessions Judge, Theni.

Present: Thiru. P. Ganesan, B.A., B.L., D.L.L.,  
Vacation Sessions Judge, Theni,

**Dated this the 21<sup>st</sup> day of May 2024**

**CrI.M.P.No.105/2024**

**CNR.No.TNTH00-0000116-2024**

1. Palanichamy

2. Poongodi

... Petitioners/Accused

-Versus-

State through the Inspector of Police,

Allinagaram P. S. in

Cr.No.153/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of Thiru. G.Alaguraja, Learned Counsel for the petitioners and the Learned Public Prosecutor for the State and this Court passed the following:

**ORDER**

This petition has been filed by the petitioners/accused U/s.438 of Code of Criminal Procedure seeking anticipatory bail.

**2. The Nitty-Gritty of the prosecution case is as follows:**

On 10.05.2024 at 1.00 p.m. the petitioners assaulted the complainant's son and intimidated them with dire consequences. Therefore the case registered against the petitioners U/s. 294(b), 324 and 506 (ii) of IPC.

3. Heard both sides.

4. The points for determination is the can anticipatory bail be granted to the petitioners?

**Answer :**

5. The FIR transpires that when the complainant was doing construction work in the new building, the petitioners assaulted the complainant's son and abused as well as intimidated them. The prosecution submitted that the victim has already been discharged from the hospital. Considered the facts and circumstances of the case as well as the victim being discharged from the hospital, I inclined to release the petitioners on anticipatory bail.

6. Therefore it is ordered that in the event of their arrest by the Respondent or on their surrender before the Learned Judicial Magistrate at Theni, within 15 days from the date of this order, they shall be released on anticipatory bail on their each executing a bond for sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum. Following conditions are imposed on the petitioners :-

i) The petitioners shall appear before the SHO Allinagaram Police Station daily at 10.00 a.m., and 5.00 p.m., for the period of 30 days from the date of release on bail.

ii) The petitioners shall not tamper with evidence or witnesses either during the investigation or trial.

iii) The petitioners shall not abscond either during the investigation or trial.

7. 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 laid down by the Hon'ble Supreme Court in P.K.Shaji – Vs- State of Kerala ( 2005) AIR SCW 5560).

..3..

8. If the petitioners/accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

Pronounced by me in open Court on this the 21<sup>st</sup> day of May 2024.

**Vacation Sessions Judge,  
Theni.**

**Copy to:**

The Judicial Magistrate, Theni

The Public Prosecutor, Theni.

The Petitioner's through their Counsel.

The Inspector of Police, Allinagaram.