

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 28th day of May 2024

Crl.M.P.No.135/2024

CNR.No.TNTH00-0000177-2024

1. Dhanush
2. Siva
3. Azhagarsamy
4. Balammal
5. Chandra
6. Sridevi

... Petitioners/Accused

-Versus-

State through the Inspector of Police,
Thenkarai P. S. in
Cr.No.219/2024

... Respondent/Complainant

This petition is coming up on this day before me for hearing in the presence of thiru.M.Muthamilarasan, 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 petitioner/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 about 9.30 p.m., the petitioners abused with filthy language and assaulted the complainant with knife. Further they intimidated him with dire consequences. Therefore the case registered against the petitioners U/s.147, 148, 294(b), 232, 234, 506(ii) of IPC and 4 of TNPWH Act.

3. Heard both sides.

4. The points for determination is that can the petitioners be released on anticipatory bail?

Answer :

5. Records perused. The FIR unfurled that the complainant and the petitioners are close relatives. The occurrence took place over long standing dispute between two parties. Having considered the relationship between the parties and nature of the offence, I inclined to release the petitioners on anticipatory bail with condition.

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 Periyakulam, 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 Respondent Police Station daily at 10.00 a.m., and 5.00 p.m., for the period of 15 days from the date of their 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 petitioner 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 28th day of May 2024.

**Vacation Sessions Judge,
Theni.**

Copy to:

The Judicial Magistrate, Periyakulam

The Public Prosecutor, Theni.

The Petitioner's through their Counsel.

The Inspector of Police, Thenkarai.