

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, DINDIGUL

**PRESENT: Selvi. M.K. Jamuna, M.L.,
Principal Sessions Judge, Dindigul.**

Friday, the 13th day of August 2021

CrI.M.P. No.2513/2021
CNR No.TNDG01-003775-2021

1. Ramasamy @ Velankanni, S/o. Govindasamy
2. Chandira, W/o. Ramasamy @ Velankanni .. Petitioners/A2 and A3

/vs/

State through
Inspector of Police, Nilakottai PS. .. Respondent/Complainant
Cr. No.658/2021

This bail petition is coming on this day for hearing before me in the presence of Thiru.K.Sakthivelrajan, Advocate for the petitioners and of Thiru. R.Manoharan, Public Prosecutor for the state on record and on considering the online submissions of either side and on perusal of available records, this court passed the following

ORDER

Petition filed U/s.438 of Cr.P.C., The petitioners/A2 and A3 pray to grant them anticipatory bail for the offences punishable U/S.294(b), 323, 324, 506(i) IPC and Sec.4 of TNPHW Act in Cr.No.658/2021 of respondent police. The occurrence took place on 01.08.2021.

The learned counsel for the petitioners/A2 and A3 would contend that the petitioners and the defacto complainant are owners of adjacent houses, that there existed sewage water dispute between them, due to that enmity, this false case has been foisted against the petitioners, that the injured was discharged from the hospital, that the petitioners are law abiding citizens and they are ready to abide any condition imposed by the Hon'ble Court, that the petitioners have no previous case, that the petitioners hereby undertakes that they will not abscond and will not tamper any witness and that the petitioners apprehend for arrest and he prays for anticipatory bail.

The learned Public Prosecutor has vehemently objected for anticipatory bail by stating that due to enmity arose out of sewage water dispute, on 1.8.2021 accused abused the defacto complainant in filthy language, at that time, in order to pacify them, the sister of defacto complainant interfered between them, that the accused abused her in filthy language and attacked her with Iron rod and caused injury to her and threatened them with dire consequences, hence the case. However, he has conceded that injured was discharged from the hospital and no previous case is pending.

.2.

Online submission of either side heard. Records perused. Considering the facts that injured has already been discharged from the hospital and no previous case is pending against the petitioners/A2 and A3 as stated by the learned Public Prosecutor, that except the offences u/s.506(i) IPC and Sec.4 of TNPHW Act, other offences are bailable in nature and upon considering the facts and circumstances of the case, this Court inclines to grant anticipatory bail to the petitioners/A2 and A3 with condition. Anticipatory Bail is granted to the petitioners/A2 and A3 on strict compliance of the following conditions.

1. The petitioners/A2 and A3 shall in the event of arrest by the respondent police or their surrender before the learned Judicial Magistrate, Nilakottai within 15 days from the date of this order, be released on bail on executing their own bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Nilakottai.
2. The petitioners/A2 and A3 are directed to appear and sign before the respondent police station daily at 10.00 a.m. for the continuous period of 30 days.
3. The petitioners/A2 and A3 shall not directly or indirectly make any inducement threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.
4. The petitioners/A2 and A3 shall make themselves available for interrogation by the police officer as and when required.
5. The petitioners/A2 and A3 shall not tamper with evidence or witness either during investigation or trial.
6. The petitioners/A2 and A3 shall not abscond either during investigation or trial.
7. The petitioners/A2 and A3 shall not leave the town without prior permission of the court.

Pronounced by me, this the 13th day of August 2021.

**Principal Sessions Judge,
Dindigul**

- Since this order is electronically generated, and issued with digital Signature.
- This order is available in E-Courts Official Web Site,
"<https://districts.ecourts.gov.in/case status/case number>"

Copy to

The Judicial Magistrate, Nilakottai
The Public Prosecutor, Dindigul.
The Inspector of Police, Nilakottai PS.,
Thiru.K.Sakthivel Rajan, Advocate
for the petitioners.

To ensure social distancing, they are requested to download the order from the official web site link.