

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, DINDIGUL

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

Thursday, the 12th day of August 2021

**CrI.M.P. No.2444/2021
CNR No.TNDG01-003685-2021**

1. Arockiasamy, 53/2021
S/o. Mariaraj
2. Jesuraj, 56/2021
S/o. Late.Mathalaimuthu .. Petitioners/A1 and A2

/vs/

State through
Inspector of Police, Ambathurai PS. .. Respondent/Complainant
Cr. No.336/2021

This bail petition is coming on this day for hearing before me in the presence of Thiru.B.Vasudevan, 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/A1 and A2 pray for anticipatory bail for the offences punishable U/S.294(b) and 506(ii) IPC in Cr.No.336/2021 of respondent police. The occurrence took place on 1.7.2021.

The learned counsel for the petitioners/A1 and A2 would contend that the petitioners are innocents and they have not committed any offence as alleged by the prosecution, that there existed civil dispute between the defacto complainant and the petitioners, for which a suit in O.S. No.154/2019 is pending before the District Munsif -cum- Judicial Magistrate Court, Aathoor, that the petitioners are falsely implicated in this case, that nobody sustained injury during the alleged occurrence, that the petitioners are law abiding citizens and they are ready to abide any condition imposed by the Hon'ble Court, 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 in continuation of civil dispute on 1.7.2021, the accused abused the defacto complainant in filthy language and threatened them with dire consequences, hence the case. However, he has conceded that no one was injured in the incident.

.2.

Online submission of either side heard. Records perused. Considering the facts that no one was injured in the incident as stated by the learned Public Prosecutor, that civil dispute is pending between the parties, that except the offence u/s. 506(ii) IPC. another offence is bailable in nature and upon considering the facts and circumstances of the case, this Court inclines to grant anticipatory bail to the petitioners/A1 and A2 with condition. Anticipatory Bail is granted to the petitioners/A1 and A2 on strict compliance of the following conditions.

1. The petitioners/A1 and A2 shall in the event of arrest by the respondent police or their surrender before the Judicial Magistrate No.III, Dindigul within 15 days from the date of this order, be released on bail on executing their own bond each for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.III, Dindigul
2. The petitioners/A1 and A2 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/A1 and A2 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/A1 and A2 shall make themselves available for interrogation by the police officer as and when required.
5. The petitioners/A1 and A2 shall not tamper with evidence or witness either during investigation or trial.
6. The petitioners/A1 and A2 shall not abscond either during investigation or trial.
7. The petitioners/A1 and A2 shall not leave the town without prior permission of the court.

Pronounced by me, this the 12th 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 No.III, Dindigul

The Public Prosecutor, Dindigul.

The Inspector of Police, Ambathurai PS.,

Thiru.B.Vasudevan, Advocate
for the petitioners.

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