

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Ninth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL ORIGINAL PETITION No.20781 of 2017

1 K.GOVINDARAJ,
2 C.RAJA
3 PAPPAN @ MUNIYAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REPRESENTED BY [RESPONDENT]
THE INSPECTOR OF POLICE,
KAVERIPATTINAM POLICE STATION,
KRISHNAGIRI DISTRICT.
(REF.CRIME NO.677 OF 2017 DATED 24.08.2017).

For Petitioner : M/S.C.ARUN KUMAR Advocate

For Respondent : MR.K.MADHAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

This is the second anticipatory bail application and the first anticipatory bail application was filed by A.1 to A.5 in CrI.O.P.No17995 of 2017, in which, this Court, by Order dated 01.09.2017, granted Anticipatory Bail to Murugesan (A.4) and Machari (A.5), but, dismissed the anticipatory bail to A.1 to A.3.

2. Heard the learned Government Advocate (Crl.Side).

3. The learned counsel for the petitioner submitted that Pappan @ Muniyan (A.3) is aged about 80 years and investigation is completed.

4. Be that as it may, since Pappan @ Muniyan (A.3), is aged about 80 years, this Court is inclined to grant anticipatory bail to Pappan @ Muniyan/A.3 and third petitioner in the petition .

5. Accordingly, the 3rd petitioner Pappan @ Muniyan is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Krishnagiri on condition that the 3rd petitioner shall execute 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 petitioner and 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 6.30 p.m. for a period of two weeks and thereafter, as and when required for interrogation.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(d) the petitioner shall not abscond 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.

6. Taking into consideration the seriousness of the allegations against the petitioners 1 and 2, the petition stands dismissed as against the petitioners 1 and 2.

-sd/-
09/10/2017

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 JUDICIAL MAGISTRATE,
NO.I, KRISHNAGIRI

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
KAVERIPATTINAM POLICE STATION,
KRISHNAGIRI DISTRICT.

+1 CC to M/S.C.ARUN KUMAR Advocate on payment of necessary
charges SR.NO. 19077

CRL OP.20781/2017

Date :09/10/2017

RD 10/10/2017