

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs Justice S. RAMATHILAGAM

CRIMINAL ORIGINAL PETITION No.12879 of 2018

1 BHARATHI BABU	[PETITIONERS / ACCUSED]
2 VENKATESAN	
3 MURUGAN	
4 RAJA SINGH	
5 B.MOHAN	
6 ARULDOSS	
7 KANNIAPPAN	

Vs

THE STATE REP. BY	[RESPONDENT]
THE INSPECTOR OF POLICE,	
ANAIKATTU POLICE STATION, KANCHEEPURAM.	
CR.NO.85 OF 2018	

For Petitioner : M/S.S.SUGENDRAN Advocate

For Respondent : MR. M.MOHAMED RIYAZ, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 353, 379, 294(b) and 506(i) IPC in Crime No.85 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that during the Cooperative election the officials were prevented from during their duty.

3.The learned counsel for the petitioners submitted that the petitioners are no way connected in this case and they had not committed any offences as alleged by the prosecution.

4.The learned Additional Public Prosecutor appearing for the State submitted that dispute arose during the cooperative election and there is no previous case against these petitioners.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Additional Public Prosecutor, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Maduranthagam, Kancheepuram, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) if the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioners shall report before the learned Judicial Magistrate, Maduranthagam, Kancheepuram, daily at 10.30 a.m for a period of two weeks and thereafter, as and when required before the respondent police for interrogation.

(iv) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(v) the petitioners shall not abscond either during investigation or trial.

(vi) 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 if the conditions have been imposed and the petitioners 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]**.

(vii) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
03/05/2018

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,
MADURANTHAGAM, KANCHEEPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ANAIKATTU POLICE STATION,
KANCHEEPURAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.SUGENDRAN Advocate on payment of necessary
charges in SR.NO. 8887

CRL OP.12879/2018

Date :03/05/2018

MLT-08/05/2018