

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixteenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.17525 of 2018

1 ANNADURAI
2 KALIMUTHU
3 CHIDAMBARAM
4 KARTHIC
5 PANDIAN
6 AJITH KUMAR
7 PRASANTH

[PETITIONERS / ACCUSED]

Vs

STATE BY,
INSPECTOR OF POLICE,
VEERAGANOR POLICE STATION,
SALEM DISTRICT.
CR.NO. 63 OF 2018.

[RESPONDENT]

For Petitioner : M/S.R.ASAITHAMBI Advocate

For Respondent : MR.C.IYYAPPARAJ, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners seek anticipatory bail in Crime No.63 of 2018 registered by the respondent police for the offence punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC.

2. The case of the prosecution as per the de-facto complainant one Stalin is that there was Aadal-Paadal entertainment in the village and during the program, there was a quarrel and the petitioners assaulted the defacto complainant and his friends with knife, iron rod, stick and tube light and caused injuries to him.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case, due to previous enmity. He would submit that the injured has been discharged from the hospital.

4. The learned Additional Public Prosecutor would submit that during a entertainment function in a temple festival, the petitioners have assaulted the defacto complainant and his friends. He would submit that there is no previous case against the petitioners and that the injured has been discharged from the hospital.

5. Taking into consideration the facts of the case and the submissions made by the counsels, I am inclined to grant anticipatory bail to the petitioners subject to the following 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-I, Attur, on condition that each of the 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days from the date of receipt of a copy of this order, this Order shall stand automatically cancelled.

[c] the petitioners shall report before the respondent police daily at 10.30.a.m and 5.30.p.m., until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
16/07/2018

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,
NO.I, ATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VEERAGANOUR POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.R.ASAITHAMBI Advocate on payment of necessary
charges in SR.NO. 13071

CRL OP.17525/2018

Date :16/07/2018

MLT-20/07/2018