

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Fifteenth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.12807 of 2019

1 CHANDRAN  
2 ARUN KUMAR  
3 PONNAMMAL  
4 CHINNAKKUTTI @ GOVINDARAJ  
5 SIVARAJ  
6 BAIRAN  
7 SANMUGAM  
8 MURUGAN  
9 MUNIYAPPAN  
10 DURAI @ MAHENDRAN  
11 CHANDRAN

[ PETITIONERS / ACCUSED ]

Vs

INSPECTOR OF POLICE  
ROYAKKOTTAI POLICE STATION,  
KRISHNAGIRI DISTRICT.  
CR.NO.81 OF 2019

[ RESPONDENT ]

For Petitioner : M/S.A.BALAMURUGAN Advocate

For Respondent : MR. S.THANKIRA, Govt. Advocate ( Crl. Side)

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 147, 148, 294(b), 323, 324 and 506(i) of IPC in Crime No.81 of 2019, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the 2<sup>nd</sup> petitioner assaulted him with hands and the other petitioners had abused him in unparliamentary words. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners had not committed any offence as alleged by the prosecution, they have been falsely implicated in this case. Hence, she prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate would submit that the petitioners have attacked the defacto complainant. Hence, she vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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 on which the order copy made ready, before the learned Judicial Magistrate, Denkanikottai, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the respondent police as and when required for interrogation.

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

[d] the petitioners 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

15/05/2019

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,  
DENKANIKOTTAI

2 THE CHIEF JUDICIAL MAGISTRATE  
KRISHNAGIRI (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 INSPECTOR OF POLICE  
ROYAKKOTTAI POLICE STATION,  
KRISHNAGIRI DISTRICT.

CC to M/S.A.BALAMURUGAN Advocate on payment of necessary charges Sr.9823

CRL OP.12807/2019

सत्यमेव जयते Date :15/05/2019

rvr 21/05/2019

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