

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.12988 of 2019

1 BASKAR
2 D.PANDIYAN
3 M.MANIKANDAN
4 M.LOKESH

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
VELLORE DISTRICT.
CR.NO.214/2019

[RESPONDENT]

For Petitioner : M/S.SIVA.RAAJASHEKARAN 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 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 143, 294 (b), 323, 324, 506(ii) of IPC in Crime No.214 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that on 18.04.2019, there was a quarrel between the petitioners and the defacto complainant and it is alleged that the petitioners and other accused assaulted the defacto complainant and had beaten with wood log. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners attacked the defacto complainant and now, the victim was discharged from the hospital. Hence, she vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case,

this Court is inclined to grant anticipatory bail to the petitioners alone with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Ranipet, on condition that 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 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,
<https://hcservices.ecourts.gov.in/hcservices/>
RANIPET

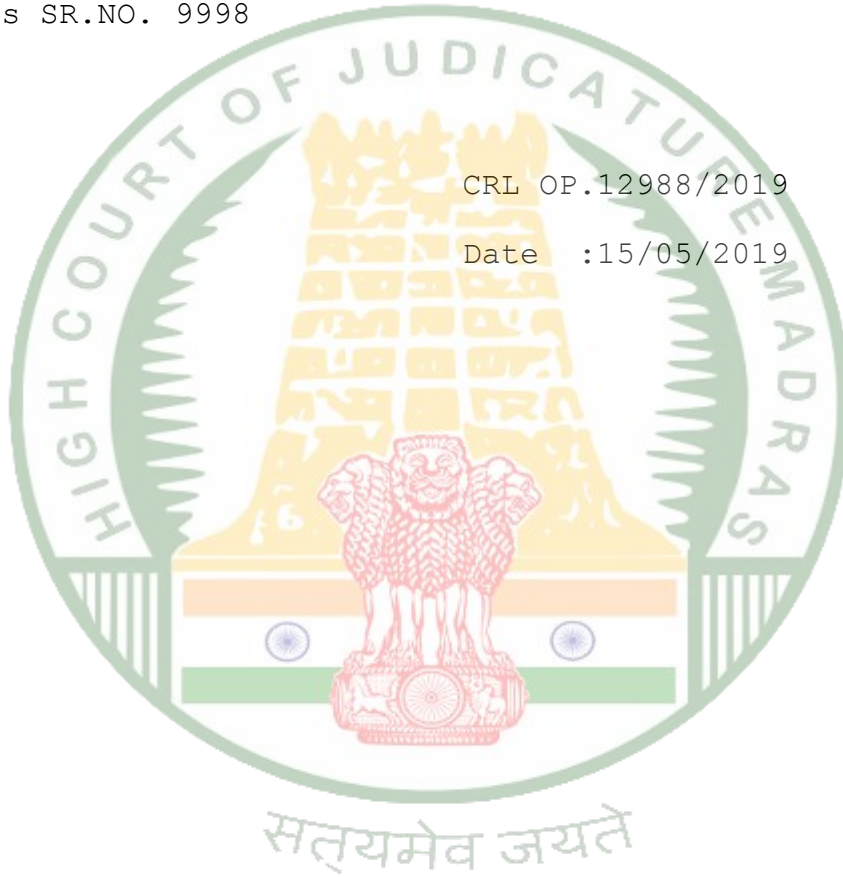
2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
VELLORE DISTRICT.

+1 CC to M/S.SIVA.RAAJASHEKARAN Advocate on payment of
necessary charges SR.NO. 9998

RD 21/05/2019



CRL OP.12988/2019

Date :15/05/2019

WEB COPY