

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Second day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice C. SARAIVANAN

CRIMINAL ORIGINAL PETITION No.13440 of 2019

1 MURALI
2 PULLIAH @ MANIKANDAN
3 MADHAN @ MADHANAGOPAL
4 IYAPPAN
5 VASU @ VASUDEVAN
6 MANIKANDAN

[PETITIONERS / ACCUSED]

Vs

THE INSPECTOR OF POLICE [RESPONDENT]
SRIPERUMBUDUR POLICE STATION,
SRIPERUMBUDUR,
KANCHEEPURAM DISTRICT.
CR.NO.290 OF 2019

For Petitioner : M/S.RAJASEKARAN R. Advocate

For Respondent : M/S.T.P.SAVITHA, 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 for the alleged offences under Sections 147, 148, 294 (b), 323, 324, 307 & 506 (ii) IPC r/w.Sec.4 of Women Harassment Act in Crime No.290 of 2019 on the file of the respondent/Police, seek anticipatory bail.

2.The petitioners are the defacto complainants in Crime No.269 of 2018. A complaint has been filed against the defacto complainants in Crime No.290 of 2019. It has given rise to the present Anticipatory Bail application in Criminal O.P.No.13440 of 2019.

3.The learned public prosecutor submits that three persons were injured and they have charged for attempt to murder under Section 307 and other provisions of I.P.C. The learned public prosecutor also submits that three persons have been given treatment, who suffered injuries on their face and with broken teeth of one of the injured persons.

4.Per contra, the learned counsel appearing for the petitioners submits that the sixth petitioner who is the sixth accused in Crime No.290 of 2019 is still in the hospital and has suffered head injuries inflicted by the defacto complainant in Crime No.290 of 2019.

5.Considering the fact that nature of injury though grievous and the fact that they were treated as out patient and the injured persons was no longer in hospital, there shall be an order subject to the following conditions.

6.Accordingly, the petitioners are ordered to be released on anticipatory bail on their executing 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 learned Judicial Magistrate, Sriperumbudur and on further conditions that:-

[a] 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 daily at 10.30 a.m., 12.30 p.m., 5.30 p.m. and 9.30 p.m., until further orders.

[c] The petitioners shall not go near defacto complainant or their family members or 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
22/05/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

TO

1 THE JUDICIAL MAGISTRATE,
SRIPERUMBUDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

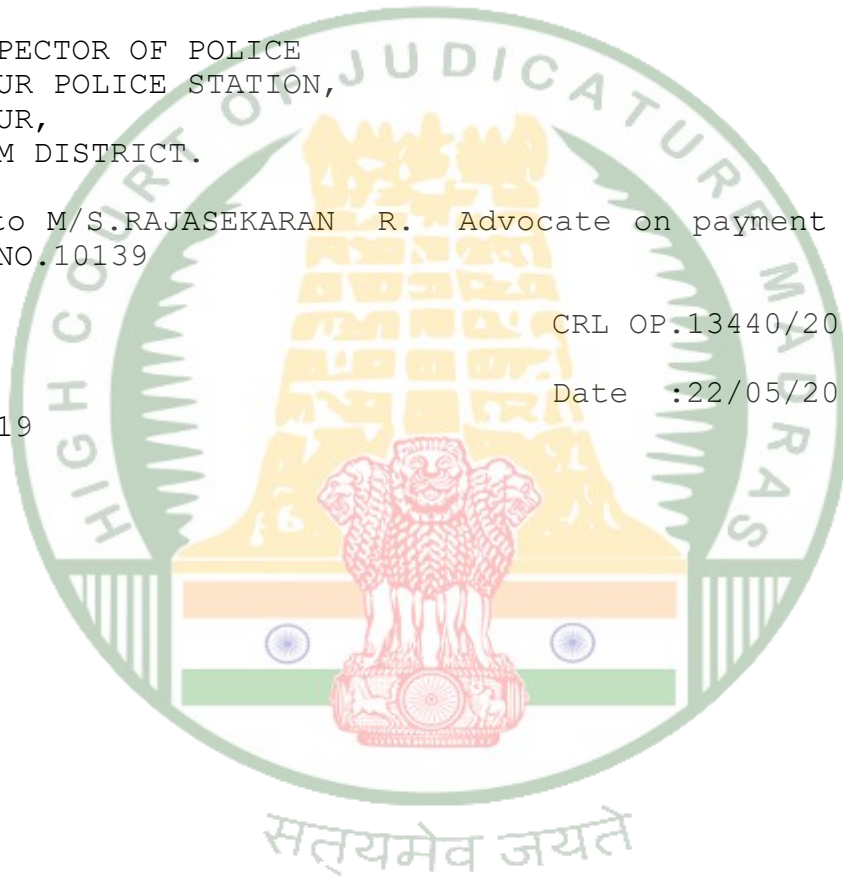
4 THE INSPECTOR OF POLICE
SRIPERUMBUDUR POLICE STATION,
SRIPERUMBUDUR,
KANCHEEPURAM DISTRICT.

+1CC to M/S.RAJASEKARAN R. Advocate on payment of necessary
charges SR NO.10139

CRL OP.13440/2019

Date :22/05/2019

MK:24/05/2019



WEB COPY