

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventeenth day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.2086 of 2020

1 PACHAIYAMMAL

[PETITIONERS / ACCUSED]

2 AMIRTHALINGAM

3 KASI @ KASINATHAN

4 SAKTHIVEL

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
PANRUTI POLICE STATION,
CUDDALORE DISTRICT.
CR.NO.455 OF 2018.

For Petitioner : M/S.J.PRADEEP Advocate

For Respondent : MR. C.IYYAPPARAJ, ADDL. 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 alleged offence under Sections 147, 420, 467 and 471 in Crime No.455 of 2018, on the file of the respondent police, seek anticipatory bail.

2.The defacto Complainant and the petitioners jointly purchased the lands in the year 1988 and it was a common property in between them and a civil dispute arouse between them with regard to the boundaries of the land, which prompted the defacto complainant to file this complaint before the respondent police.

3.The learned counsel for the petitioners would submit the in respect of the subject property, a civil suit is pending before the Munsif Court, Panruti, at the instance of defacto complainant. He would further submit that the petitioners are in no way connected in this case and hence he prays for grant of anticipatory bail.

4.The learned Public Prosecutor appearing on behalf of State would submit that the dispute is civil in nature , with regard to the property and that investigation is pending.

5.Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners.

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, Panruti, Cuddalore District, on condition that each of the petitioners 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 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 Court concerned 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. for a period of two weeks and thereafter 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 petitioner 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]; and;

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

-sd/-

17/02/2020

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 INSPECTOR OF POLICE,
PANRUTI POLICE STATION,
CUDDALORE DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE RDO,
PANRUTI, CUDDALORE DISTRICT.

4 THE JUDICIAL MAGISTRATE,
NO.I, PANNRUTI,CUDDALORE DISTRICT

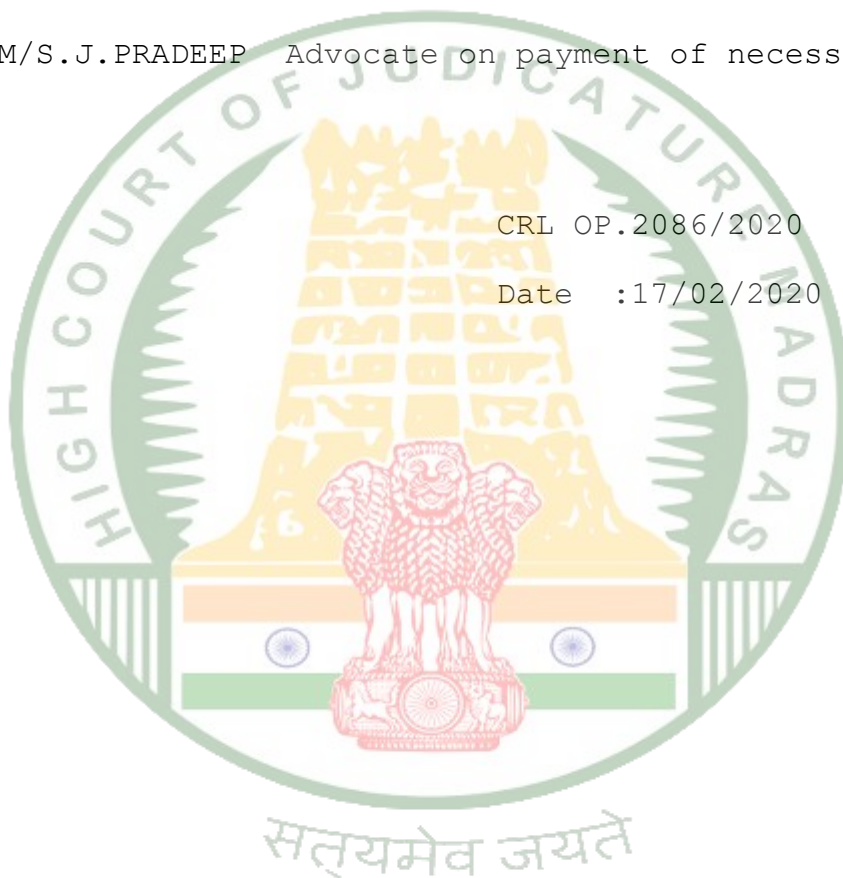
5 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

+1 CC to M/S.J.PRADEEP Advocate on payment of necessary charges
SR.NO. 3099

CRL OP.2086/2020

Date :17/02/2020

RD 20/02/2020



WEB COPY