

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twenty Third day of March Two Thousand Twenty
PRESENT

The Hon`ble Mr Justice T.RAJA
CRIMINAL ORIGINAL PETITION No.6180 of 2020

1 JAYAKUMAR [PETITIONERS / ACCUSED]
2 SURESH
3 SUNDARESAN
4 RAMESH

Vs

STATE REP.BY [RESPONDENT]
SUB-INSPECTOR OF POLICE,
SHOLINGHUR POLICE STATION,
RANIPET DISTRICT.
CR.NO.NOT KNOWN OF 2020.

For Petitioner : M/S.K.G.SENTHILKUMAR Advocate

For Respondent : MR. S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners/A1-A4 who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323 and 506(ii) of IPC, in Crime No. Not known of 2020, seek anticipatory bail.

2. The case of the prosecution is that there was a dispute in irrigating the land, water from the well, due to that a wordy quarrel between the petitioners and the defacto complainant. The petitioners abused and attacked the defacto complainant with hands and thereby the defacto complainant sustained grievous injuries. Hence, the complaint.

3. 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. He would further submit that a false case has been foisted against the petitioners. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. Learned Additional Public Prosecutor would submit that the petitioners abused and assaulted the defacto complainant with hands and he sustained grievous injuries. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Considering the above facts and circumstances of the case, 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, Sholinghur, on condition that the petitioners shall execute a separate 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 conditions 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 daily at 10.30 a.m., for a period of one week 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 petitioner 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/-
23/03/2020

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 JUDICIAL MAGISTRATE,
SHOLINGHUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB-INSPECTOR OF POLICE,
SHOLINGHUR POLICE STATION,
RANIPET DISTRICT.

+1CC to M/S.K.G.SENTHILKUMAR Advocate on payment of necessary
charges SR NO.5578

CRL OP.6180/2020

Date :23/03/2020

MK:29/06/2020



WEB COPY