

IN THE HIGH COURT OF JUDICATURE AT MADRAS

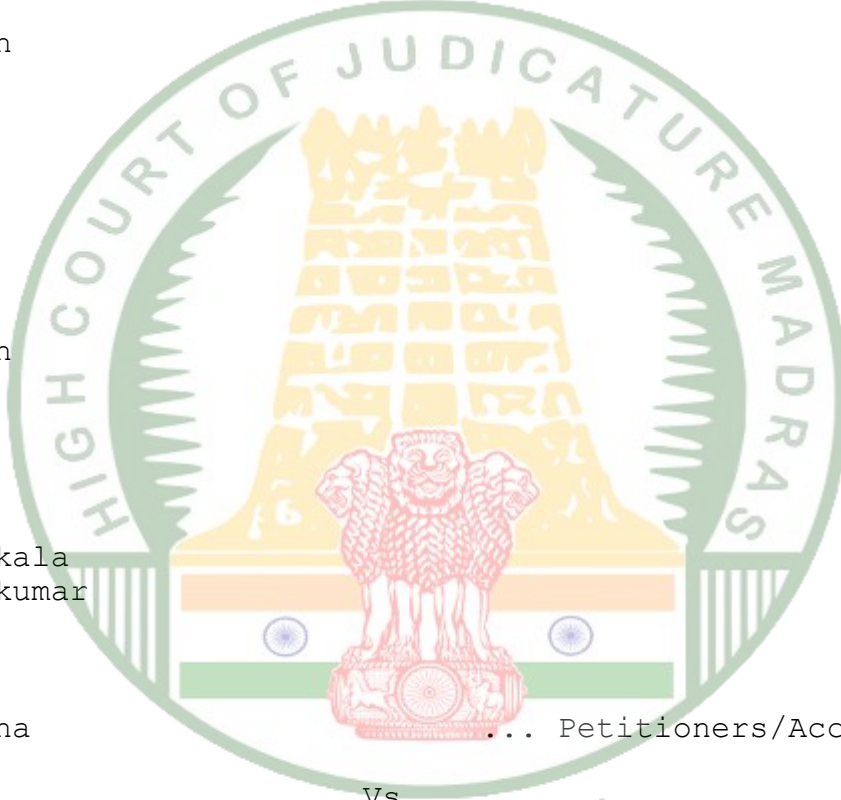
DATED : 02.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.6539 of 2020

- 1.Akash
- 2.Akesh
- 3.Bharathi @ Parthiban
- 4.Chandiravel
- 5.Hariharasudan
- 6.Kaliyappan
- 7.Kamesh
- 8.Krishnaraj
- 9.Kumaran
- 10.Madhan
- 11.Magendiran
- 12.Mahalingam
- 13.Manimaran
S/o.Nagooran
- 14.Manimaran
S/o.Mari
- 15.Ponnan
- 16.Rajagopal
- 17.Sakthivel
- 18.Sasi @ Sasikala
- 19.Sasi @ Sasikumar
- 20.Sukumar
- 21.Yuvaraj
- 22.Velpalani
- 23.Viji @ Chinna



... Petitioners/Accused

Vs.

सत्यमेव जयते

The State represented by,
The Inspector of Police,
Chunambedu Police Station,
Chengalpattu.
(Crime No. 391 of 2017)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioners on bail in the event of their arrest by the respondent police concerned in Crime No. 391 of 2017, on the file of the Inspector of Police, Chunambedu Police Station, Chengalpattu District or on their appearance before the Court.

For Petitioners : Mr.A.Murugavel

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

: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 324, 427, 506(ii) IPC r/w section 3(1) of Prevention of Damage to Public Property Act in Crime No.391 of 2017 on the file of the respondent police, seeks anticipatory bail.

2 The case of the prosecution is that on 01.09.2017 the petitioners along with other accused persons have assaulted the defacto complainant and other victims and threatened them with dire consequences and also damaged the boats. Hence, the complaint.

3 The learned counsel appearing for the petitioners would submit that the petitioners were already granted anticipatory bail by this Court in Crl.O.P.No.2673 of 2020 on 07.02.2020, due to some miscommunication the petitioners were unable to surrender within the time stipulated by this Court and thereby, the order has been lapsed. Hence, he prays to grant anticipatory bail to the petitioner.

4 The learned Additional Public Prosecutor appearing for the respondent would submit that the investigation is under way. However, he made a statement that several of the accused persons are granted bail or anticipatory bail in this case. However, he opposed for the grant of anticipatory bail to the petitioners.

5 Considering the facts and circumstances of the case, this Court deems it appropriate to grant anticipatory bail to the petitioners subject to the following conditions;

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 on which the order copy made ready, before the learned Judicial Magistrate, Maduranthagam on condition that each petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with 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 abscond, a fresh FIR can be registered under Section 229A IPC.

7 With the above directions, this Criminal Original Petition is ordered.

-sd/-
02/09/2020

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,
MADURANTHAGAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
CHUNAMBEDU POLICE STATION,
CHENGALPATTU.

+1 CC to M/S.A.MURUGAVEL Advocate on payment of necessary charges
SR.No.6121

CRL OP.6539/2020

Date :02/09/2020

cs 14/09/2020