

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.6723 of 2020

1 S.ANANDAN
2 K.VEERAMANI

[PETITIONERS / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
THE SIRKAZHI POLICE STATION,
NAGAPATTINAM DISTRICT
CR. NO. 402/2019

[RESPONDENT]

For Petitioner : M/S. LAW VISION Advocate

For Respondent : MR.S.KARTHIKEYAN ADDL.PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

Petitioners apprehending arrest at the hands of the respondent police for the alleged offence under Sections 147, 294(b), 353 and 506(ii) of I.P.C. and Section 3(1) of Tamilnadu Public Property (Prevention of Damage and Loss) Act, 1992, in Cr.No.402 of 2019 on the file of the respondent police, seek anticipatory bail.

2.Case of the prosecution is that the petitioners along with the other accused are alleged to have abused the election duty officers.

3.Learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the petitioners are arrayed as A13 and A14 and would further submit that the co-accused A1 to A12 have already been released on anticipatory bail.

4.Learned Additional Public Prosecutor vehemently opposed for grant of anticipatory bail to the petitioners. He would submit that the petitioners have taken part in the offence relating to holding of Panchayat Election in December and would further submit that the complaint has been given by the Election Officer.

5.Considering the fact that the co-accused A1 to A12 have already been released on anticipatory bail, 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, Nagapattinam District, on condition that the petitioners shall execute 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 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 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 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/-

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

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

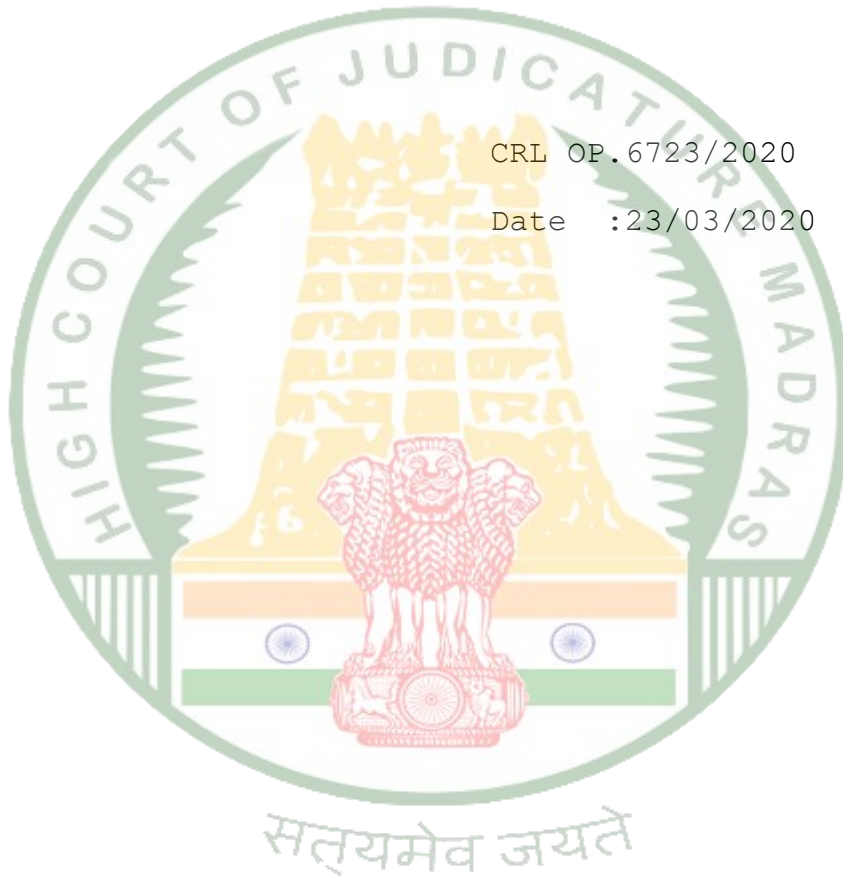
4 THE INSPECTOR OF POLICE,
THE SIRKAZHI POLICE STATION,
NAGAPATTINAM DISTRICT

CC to M/S. LAW VISION Advocate on payment of necessary charges

CRL OP.6723/2020

Date :23/03/2020

RD 28/05/2020



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