

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the First day of June Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.7046 of 2020

1 PRABU [PETITIONERS / ACCUSED]

2 MANJUNATH

3 AJITH @ AJTIHKUMAR

4 CHANDRASEKAR

5 M.R.PRABU

6 RESI @ RAJKUMAR

7 SENTHIL @ SENTHILKUMAR

8 GANDHI

9 SASIKALA

10 SAROJA

11 SANTHA

12 MEKALA @ MANIMEGALAI

13 INDIRA

14 GIRIVASAN

15 RANI

16 SHANTHI

17 VELKUMAR @ VELMURUGAN

18 THAMIZHA @ TAMILMOZHI

19 SINGARAVELAN

20 ARUN @ ARUNKUMAR

21 VETRISELVAN

22 KARTHICK

23 SURIYAN

24 NANTHINI

Vs

THE INSPECTOR OF POLICE [RESPONDENT]

KARIMANGALAM POLICE STATION,

DHARMAPURI DISTRICT.

(CRIME NO. 87 OF 2020)

For Petitioner : M/S. P.M.JAYACHANDRAN Advocate

For Respondent : M/S. K.PRABAKAR, Additional 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 offences publishable under Sections 147, 148, 294(b), 323, 324, 427 and 506(ii) IPC in Crime No.87 of 2020 on

The file of the respondent police, seek anticipatory bail.

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

2. The case of the prosecution is that due to previous enmity, the petitioners went to the defacto complainant's house, abused and assaulted him with hands and wooden sticks. Further, the petitioners damaged the window panes and threatened the defacto complainant with dire consequences. Hence, the complaint.

3. The learned Counsel for the petitioners submitted that there is a case in counter in Crime No.88 of 2020 and that a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the injured has been discharged from the hospital. However, he opposed for the grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts and submissions of the learned Counsel and the fact that the victim has been discharged from the hospital and there is a case in counter, this Court is inclined 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, Palacode, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with one surety, 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.

-sd/-
01/06/2020

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,
PALACODE.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
KARIMANGALAM POLICE STATION,
DHARMAPURI DISTRICT.

CC to P.M.JAYACHANDRAN Advocate on payment of necessary charges

CRL OP.7046/2020

Date :01/06/2020

cs 04/06/2020

WEB COPY