

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.OP.No.8268 of 2020

1.Raji
2.Sathiyamoorthy ... Petitioners

Vs

State Rep.by
The Inspector of Police,
Oomangalam Police Station,
Cuddalore District.
(Crime No.277 of 2020) ... Respondent

Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioners on bail in the event of their arrest in connection with Crime No.277 of 2020 on the file of the Inspector of Police, Oomangalam Police Station, Cuddalore District.

For Petitioner : Mr. K. Sarath Kumar

For Respondent : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

ORDER

The petitioners/A3 & A4, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 341, 294(b), 324, 506(ii) and 307 of IPC in Crime No.277 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had a wordy quarrel with the defacto complainant and attacked him and caused him head injury.

3. Mr.Mohammed Riyaz, learned Additional Public Prosecutor appearing on behalf of the respondent, on instructions, submitted that the victim has been discharged from the hospital and there are no previous cases against the petitioner.

4. Taking into consideration the facts and circumstances, 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 District Munsif-cum Judicial Magistrate, Neively, on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five 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, 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 are directed to appear before the respondent on every Monday at 10.30 a.m. for a period of eight 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 petitioners 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 persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

16/06/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

WEB COPY
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF-CUM JUDICIAL MAGISTRATE,
NEIVELY

2 THE CHIEF JUDICIAL MAGISTRATE
CUDALORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

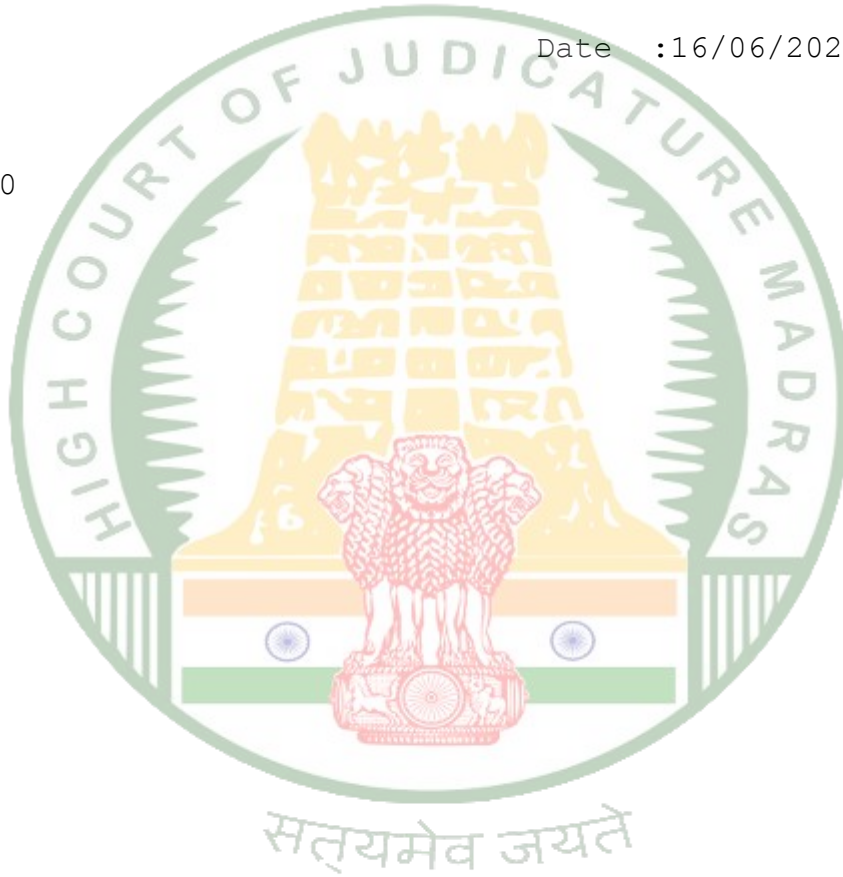
4 THE INSPECTOR OF POLICE,
OOMANGALAM POLICE STATION,
CUDDALORE DISTRICT.

CC to M/S.K.SARATHKUMAR Advocate on payment of necessary
charges

CRL OP.8268/2020

Date :16/06/2020

TA-09/09/2020



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