

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.8437 & 8438 of 2020

1.S.Kannan ...Petitioners/Accused
2.P.Karthi in Crl.OP.No.8437 of 2020
3.Mohan @ Mohankumar ...Petitioner/A-3
in Crl.OP.No.8438 of 2020

..Vs..

The State,
Rep. By the Inspector of police,
M-5,Thondamuthur Police Station,
Coimbatore.
(Crime no.503 of 2020.) ... Respondent/Complainant
in both Crl.OPs

COMMON PRAYER: Criminal Original Petitions filed under Section 438 of the Criminal Procedure Code, seeking to enlarge the petitioners on Anticipatory bail in the event of their arrest in Crime No.503 of 2020 on the file of the Inspector of Police, M-5, Thondamuthur Police Station, Coimbatore.

For Petitioners: M/s.Revathi Manivannan
in Crl.OP.8437/2020
: M/s.P.Paul Selvam
in Crl.OP.8438/2020

For Respondent : M.Mohammed Riyaz,APP in both Crl.OPs

COMMON ORDER

In Crl.OP.No.8437/2020, the petitioners/Accused and in Crl.OP.NO.8438/2020, the petitioner/A-3, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 294(b), 323, 324 and 506(ii) of IPC in Crime No.503 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that a wordy quarrel arose between the petitioners and injured persons while playing Cricket and as a result of the same, the petitioners are set to have attacked the injured persons and they sustained injuries.

3. The learned counsel appearing on behalf of the petitioners submitted that there is a case and counter and

based on the complaint given by the petitioners, counter case has been registered in Crime No.510 of 2020.

4. The learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that the injured persons have been discharged from the hospital and there are no previous cases against the petitioners.

5. 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 appearances, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate VI- Coimbatore on condition that the petitioners 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 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 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 persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
10/06/2020

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 VI,
COIMBATORE

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE.[FOR INFORMATION]

3 THE ADDITIONAL PUBLIC PROSECUTOR
HIGH COURT,MADRAS.

4 THE INSPECTOR OF POLICE,
M-5,THONDAMUTHUR POLICE STATION,
COIMBATORE.

CC to M/S.REVATHI MANIVANNAN Advocate on payment of
necessary charges

CRL OP.8437 & 8438 of 2020

Date :10/06/2020

GKS (TA) :05/08/2020

WEB COPY