

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.8477 of 2020

1.Saravanan
2.Iyappan
3.Manikandan

...Petitioners/Accused A2,A4&A5

vs

The Inspector of Police, ...Respondent/complainant
Tiruvannamalai Town Police Station,
Tiruvannamalai District.
(Crime No.175 of 2020)

Prayer: Criminal Original Petition filed under Section 439 of the Cr.P.C. to enlarge the petitioners on bail in event of their arrest in Crime No.175 of 2020 on the file of respondent police.

For Petitioners : Mr.M.Govindaraju

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 294(b), 341, 307, 324 and 506(2) of IPC in Crime No.175 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the accused persons and the defacto complainant are residing in the same street and are known to each other. The accused persons developed a wordy quarrel and also attacked the defacto complainant. Totally they are 5 accused persons in this case and the petitioners are ranked as A2,A4 and A5.

3.The learned counsel for the petitioners submitted that a false case has been foisted against the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that A1 and A3 were arrested and later enlarged on bail. The learned counsel further submitted that the injured persons has already been discharged from the hospital and there are no previous cases against the petitioners.

5. Taking note of the fact 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 Judicial Magistrate-1, Tiruvannamalai, on condition that the petitioners shall execute separate 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 on every Monday at 10.30 a.m. for a period of four 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 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/-

11/06/2020

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

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

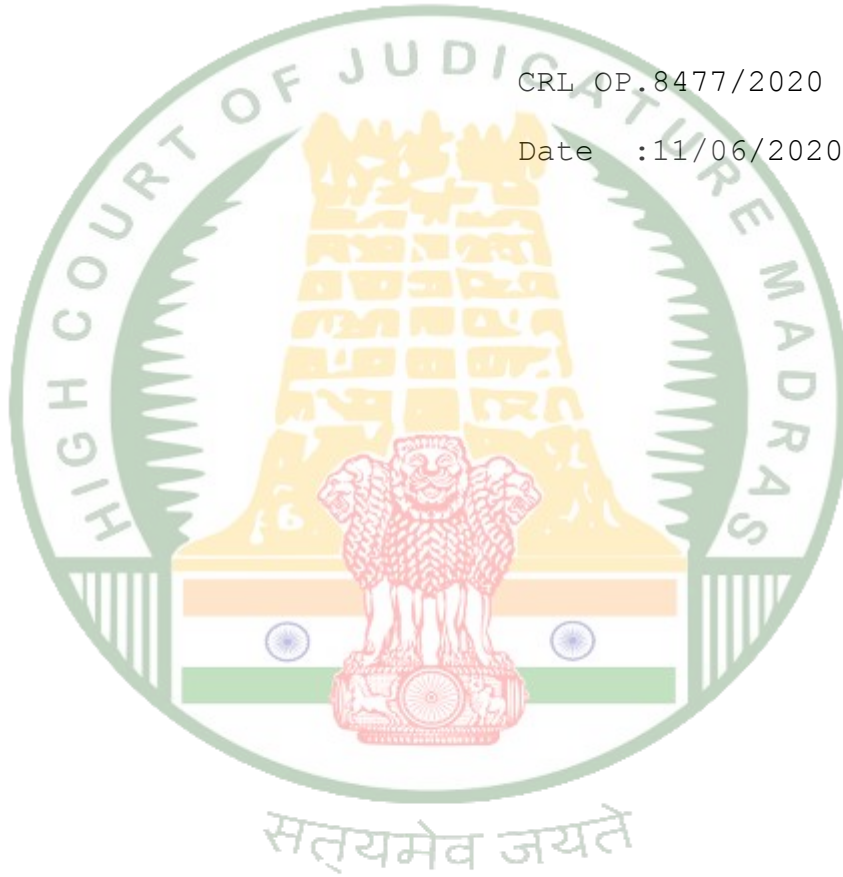
4 THE INSPECTOR OF POLICE
TIRUVANNAMALAI TOWN POLICE STATION,
TIRUVANNAMALAI DISTRICT.

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

CRL OP.8477/2020

Date :11/06/2020

TA-14/07/2020



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