

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2020

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.8526 and 8527 of 2020

1.Murugesan Petitioners/A-2 in Crl.OP.8526

2.Balamurugan Petitioner /A-3 in Crl.OP.8527

..Vs..

The State,
Rep. By the Inspector of Police,
Vadapathimangalam Police Station,
Thiruvarur District.
(In Crime No. 348 of 2020)

... Respondent/
Complainant in both Crl.OPs

PRAYER: Criminal Original Petitions filed under Section 482 of the Criminal Procedure Code, seeking to enlarge the petitioners on Anticipatory bail in the event of their arrest in Crime No.348 of 2020 on the file of the Inspector of Police,Vadapathimangalam Police Station, Thiruvarur District.

For Petitioners : M/s.Swami Subramanian
(in both Crl.OPs)

For Respondent : Mr. Balamurugan (Pondicherry)
Additional Public Prosecutor

COMMON ORDER

The petitioners/Accused No.1 & 2, who apprehend arrest at the hands of the respondent police for the alleged offense punishable under Sections 147, 294(b), 352 and 506 (ii) of IPC, in Crime No.348 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons abused the de facto complainant and intimidated to him. There are totally six accused persons in this case and the petitioners are ranked as A2 and A3.

3. The learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that no one sustained any injury and there are no previous case against the petitioners.

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 Judicial Magistrate-II, Mannargudi Thiruvarur District, 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 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 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.

12.06.2020

Index : Yes/No
Internet : Yes/No

Speaking/Non Speaking

jrs

N.ANAND VENKATESH, J

jrs

To

- 1.The Judicial Magistrate-II, Mannargudi,
Thiruvarur District.
2. The Inspector of Police,
Vadapathimangalam Police Station,
Thiruvarur District.
- 3.The Additional Public Prosecutor,
High Court, Madras.



CrI.O.P.Nos.8526 & 8527 of 2020

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