

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2020

CORAM

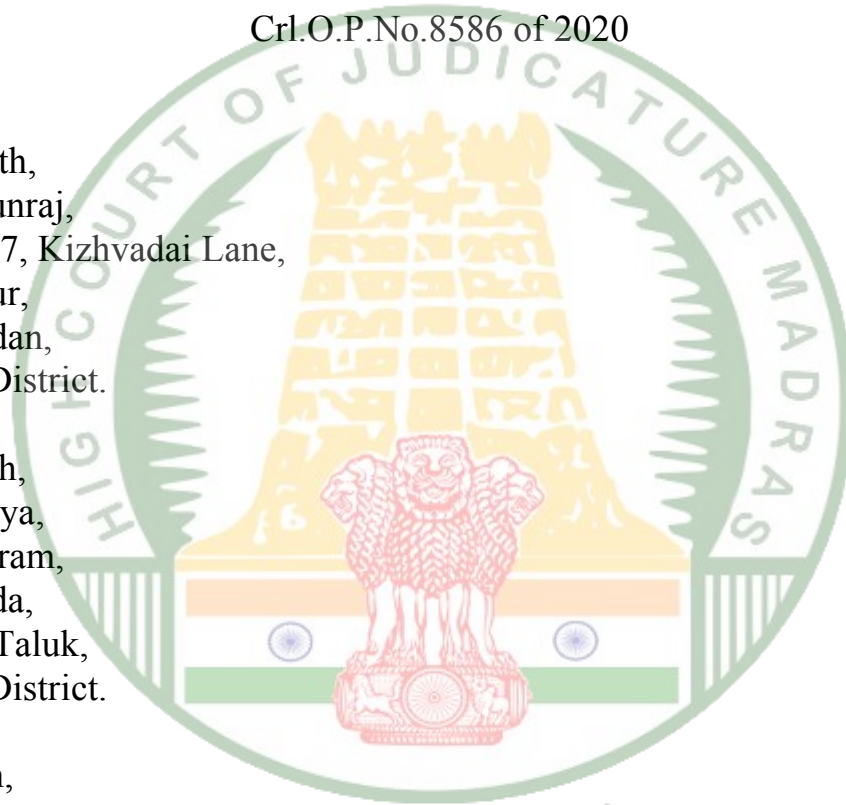
THE HON'BLE MR.JUSTICE **N.ANAND VENKATESH**

Crl.O.P.No.8586 of 2020

1.Nishanth,
S/o.Appunraj,
No.8/P-17, Kizhvadai Lane,
Kizhachur,
Pallikondan,
Vellore District.

2.Vignesh,
S/o.Sathiya,
Rangapuram,
Pallikonda,
Anaicut Taluk,
Vellore District.

3.Dilipan,
S/o.Appun,
Kizhvadai Lane,
Kizhachur,
Pallikondan,
Vellore District.



WEB COPY

4.Vinith,
S/o.Babu,
No.33, Rangapuram Thoppu,
Pallikonda,
Anaicut Taluk,
Vellore District.

.. Petitioners

Vs.

State represented by
The Inspector of Police,
Pallikonda Police Station,
Vellore District.

..Respondent

Criminal Original Petition filed under Section 438 Cr.P.C. to grant anticipatory bail to the petitioners in the event of their arrest in Crime No.108 of 2020 pending investigation on the file of the respondent.

For Petitioners : Mr.E.Kannadasan
For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) and 307 IPC in Crime No.108 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the accused persons picked up a quarrel with the *de facto* complainant and the same ended up with blows being exchanged between the parties and four persons sustained injuries. There are totally 19 accused persons in this case and the petitioners are ranked as A15 to A18.

3.The learned Additional Public Prosecutor appearing on behalf of the respondent submitted that all the injured persons have been discharged from the hospital and there is one previous case pending against the petitioners.

4.Taking into consideration, the facts and circumstances of the case, this Court is inclined to grant Anticipatory bail to the Petitioners. 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 No.V, Vellore, on condition that the petitioners shall execute a bond for a sum of Rs.5,000/- (Rupees five thousand only) 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 conditions that:

[a] 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 the investigation.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

12.06.2020

nsd

Index:yes/no

Speaking order/non speaking order

To

1.The Judicial Magistrate No.V,
Vellore.

2.The Inspector of Police,
Pallikonda Police Station,
Vellore District.

3.The Public Prosecutor,
Madras High Court,
Chennai.

WEB COPY

N.ANAND VENKATESH,J.

nsd



Crl.O.P.No.8586 of 2020

WEB COPY

12.06.2020