

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.8592 of 2020

1.K.Arul Murugan,
S/o.Kaliyaperumal.

2.K.Valli,
W/o.Kaliyaperumal.

3.P.Suresh,
S/o.Pannerselvam.

4.S.Illayaraja,
S/o.Sundaram.

5.S.Ramachandran,
S/o.Sundaram.

All are residing at
No.2,74, Road Street, Pulavaur,
Mohanur, Keevazhur Taluk,
Nagapattinam District.

.. Petitioners

Vs.

State represented by
The Sub-Inspector of Police,
Vallivalam Police Station,
Nagapattinam District.

..Respondent

Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioners on bail in the event of their arrest in Crime No.72 of 2020 pending investigation on the file of the respondent.

For Petitioners : Mr.P.Muthamizh Selvakumar

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, 294(b), 353 and 506(i) IPC in Crime No.72 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioners and the *de facto* complainant, who is the Co-operative Society Secretary. The quarrel arose due tot a dispute in the

disbursal of aid.

3.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioners had abused and intimidated the Co-operative Secretary and there are no previous cases 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.I, Nagapattinam, 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 every as and when required for 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

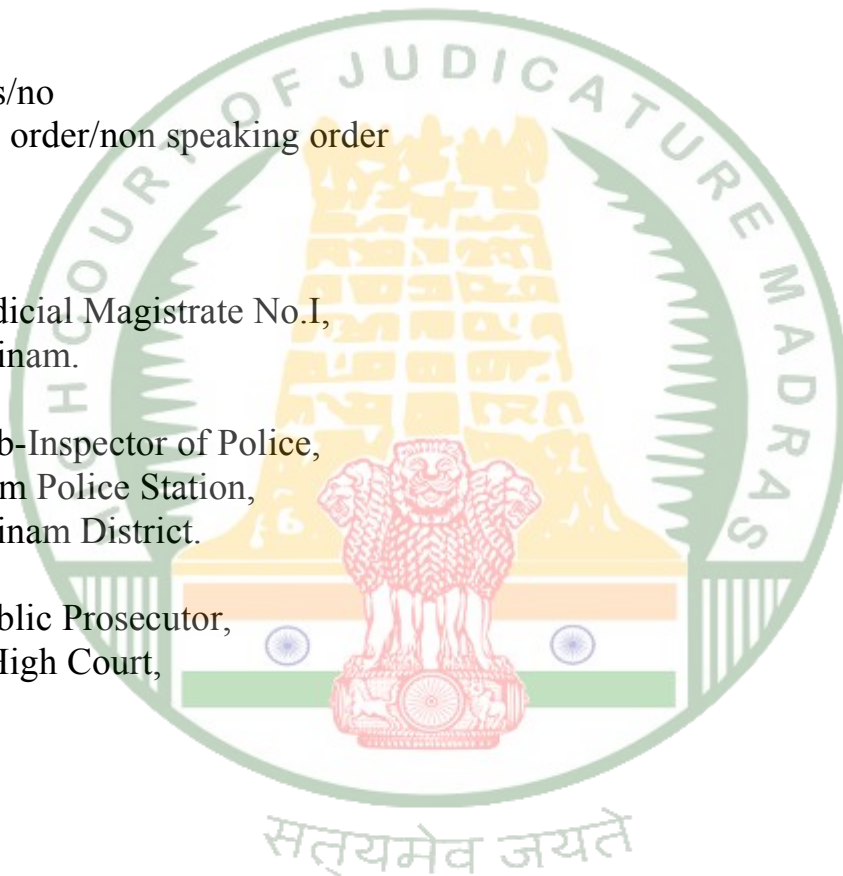
Speaking order/non speaking order

To

1.The Judicial Magistrate No.I,
Nagapattinam.

2.The Sub-Inspector of Police,
Vallivalam Police Station,
Nagapattinam District.

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



WEB COPY

N.ANAND VENKATESH,J.

nsd



Crl.O.P.No.8592 of 2020

WEB COPY

12.06.2020