

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.8763 of 2020

1.G.Raja @ Tamilvendhan

2.S.Govindharaj

3.G.Malar

4.S.Jayakodi

5.N.Subramani

...Petitioners/Accused

Vs.

The State Rep. By
The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.

Crime No.678 of 2020

...Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on Anticipatory bail in the event of his arrest in Crime No: 678 of 2020 on file of the respondent Police.

For petitioner : Mr.J.Pradeep

For respondent : Mr.Mohammed Riyaz,
Additional Public Prosecutor

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 354, 147, 148, 342, 427 506(ii) IPC in Crime No.678 of 2020 on the file of the respondent police, seek

anticipatory bail.

2. The case of the prosecution is that the accused persons had a property dispute with the defacto complainant and they are said to have abused and intimidated the defacto complainant.

3. The learned Additional Public Prosecutor, on instruction, submitted that the petitioners had abused and intimidated the defacto complainant and no one sustained injuries. The learned counsel further submitted that there are no previous cases 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 Court, Uthangarai, 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 are directed to appear before the respondent police, as and when required for interrogation.

<http://www.judis.nic.in> [c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

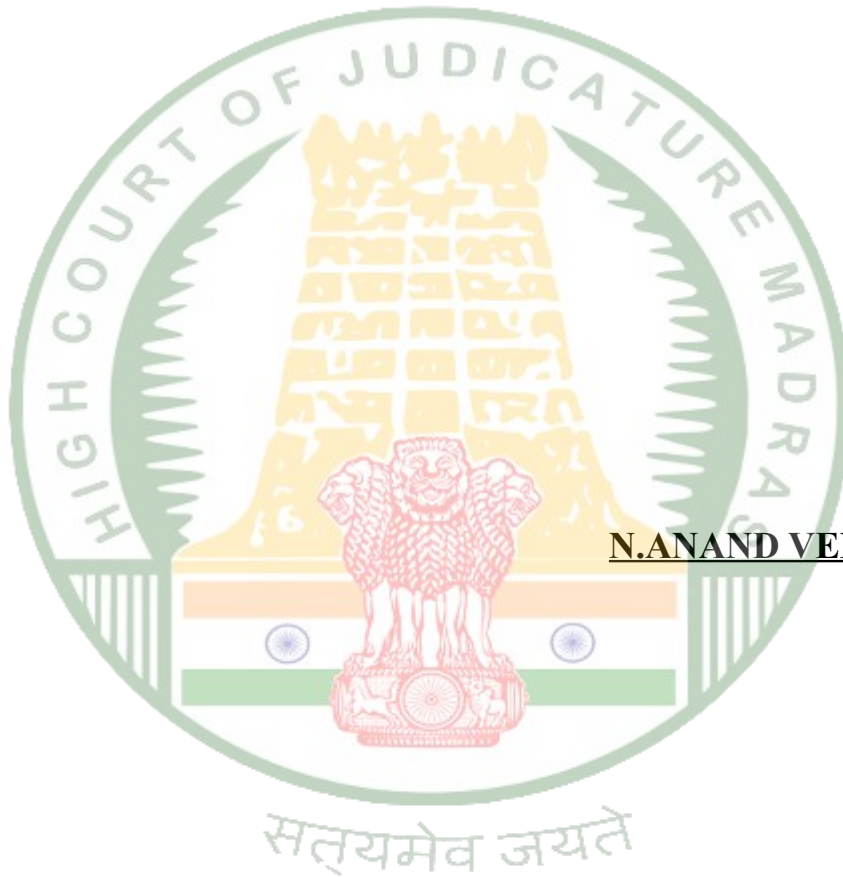
[d] the petitioners shall not abscond either during investigation or trial.

[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.

16.06.2020

ssb/kp



N.ANAND VENKATESH.,J

ssb

To

1.The Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.

2. Learned Judicial Magistrate Court,
Uthangarai (Satisfaction Court)

3..Learned Principal Sessions Judge,
Krishnagiri (Dismissal Court).

4.The Additional Public Prosecutor,
High Court, Madras

CrI.O.P.No.8763 of 2020

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