

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. O.P. No. 8878 of 2020

1.Raja @ Rajakrishnan
2.Sakthivel
3.Vikki @ Vivek

.. Petitioners

vs.

The Inspector of Police,
Belukurichi Police Station,
Namakkal District.
(Crime No. 266 / 2020)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 438 Cr.P.C, praying to grant Anticipatory Bail to the petitioners in the event of their arrest in Crime No. 266 of 2020 pending on the file of the respondent.

For Petitioners : Mr. W.Camyles Gandhi

For Respondent : Mr. M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 341, 294(b), 323, 363 & 506(ii) IPC in Crime No. 266 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de facto complainant and A1's sister are husband and wife. There was a family dispute between the parties and as a result of the same, the accused persons are said to have verbally abused and caused simple injuries to the de facto complainant.

3. The learned Additional Public Prosecutor, on instructions, submitted that no one was admitted in the hospital 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 subject to the following conditions.

5. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Rasipuram, on condition that the petitioners shall execute a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) each with two sureties and those sureties shall be a common sureties, 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 said Magistrate, 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 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]; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

सत्यमेव जयते
-sd/-
18/06/2020

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

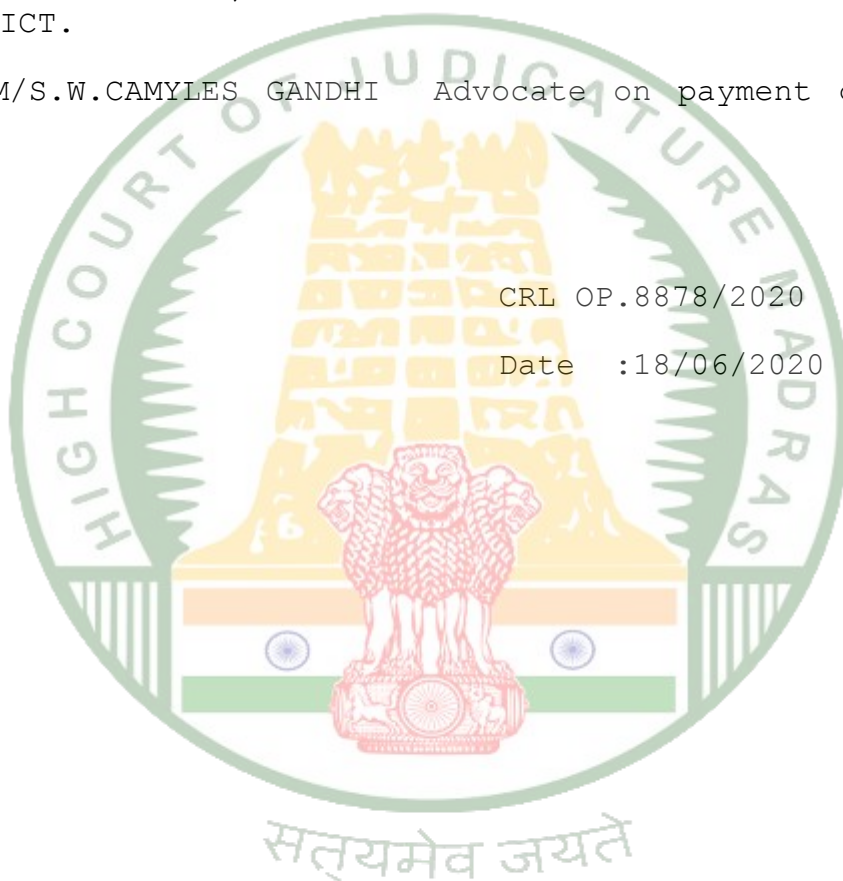
1 THE JUDICIAL MAGISTRATE,
RASIPURAM

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
BELUKURICHI POLICE STATION,
NAMAKKAL DISTRICT.

CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary
charges

cs 03/08/2020



CRL OP.8878/2020

Date :18/06/2020

WEB COPY