

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P Nos.9044, 9063 & 9066 of 2020

1. Gunal ... Petitioner in Crl.O.P.No.9044/2020
2. Manikandan ... Petitioner in Crl.O.P.No.9063/2020
3. Sundari ... Petitioner in Crl.O.P.No.9066/2020

vs.

State rep. by
The Inspector of Police,
Koothanallur Police Station,
Tiruvarur District.
(Crime No.778 of 2020).

...Respondent in all Crl.O.Ps

Prayer in all Crl.O.Ps: Criminal Original Petitions filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest in Crime No.778 of 2020 on the file of the Inspector of Police, Koothanallur Police Station, Tiruvarur District.

For Petitioners
in all Crl.O.Ps : Mr.Swami Subramanian

For Respondent
in all Crl.O.Ps : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

C O M M O N O R D E R

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 452, 294(b), 323, 324 and 506(ii) of IPC in Crime No.778 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a property dispute among the relatives and on the date of incident, the accused persons are said to have abused, intimidated and attacked the defacto complainant as a result of which the defacto complainant sustained injuries.

3.The learned counsel for the petitioners submitted that a false case has been foisted against these petitioners and they have nothing to do with the above said offences.

4.The learned Additional Public Prosecutor appearing on behalf of the respondent police on instructions submitted that the petitioners are ranked as A3, A1 and A2 respectively. The learned counsel further submitted that the injured person has been discharged from the hospital and there is no previous case against the petitioners.

5.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 No.II, Mannargudi, Thiruvavarur District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties and those sureties shall be a common surety 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 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 persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
19/06/2020

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,
NO.II, MANNARGUDI,
THRUVARUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
KOOTHANALLUR POLICE STATION,
THIRUVARUR DISTRICT.

CC to M/S.SWAMISUBRAMANIAN Advocate on payment of necessary charges

CRL Ops.9044, 9063 & 9066/2020

Date :19/06/2020

cs 03/08/2020

WEB COPY