

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2020

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.9275 of 2020

1. M.Ramesh
2. A.Thangavel
3. A.Gopalakrishnan
4. P.Sivakumar

... Petitioners

Vs.

State Rep. by
The Inspector of Police,
Sulur Police Station,
Coimbatore.

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioners on bail in the event of their arrest in
Crime No.1386 of 2020 on the file of the respondent police.

For Petitioners : Mr.A.M.Natraj
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 294(b), 323, 406 and 506(i) of IPC in Crime No.1386 of 2020, seek anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant and it is alleged that there was some dispute between the parties regarding the order placed by the petitioners to weave the cloth materials with the Company of the defacto complainant and due to which, the petitioners assaulted the defacto complainant and abused in unparliamentary words. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and the employees of the defacto complainant only assaulted the petitioners and snatched the chain of the first petitioner worth Rs.1,00,000/-. Further the petitioners have not

committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that there was some wordy quarrel between the petitioners and the defacto complainant regarding the order placed by the petitioners with the company of the defacto complainant to weave the cloth materials and the petitioners attacked the defacto complainant. The injured sustained simple injuries and also discharged from the hospital. Hence he opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case and the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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, Sullur, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten 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 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 daily at 10.30 a.m. for a period of four weeks and thereafter 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 thereafter abscond/s, a fresh FIR can be registered under Section 229A IPC.

24.06.2020

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
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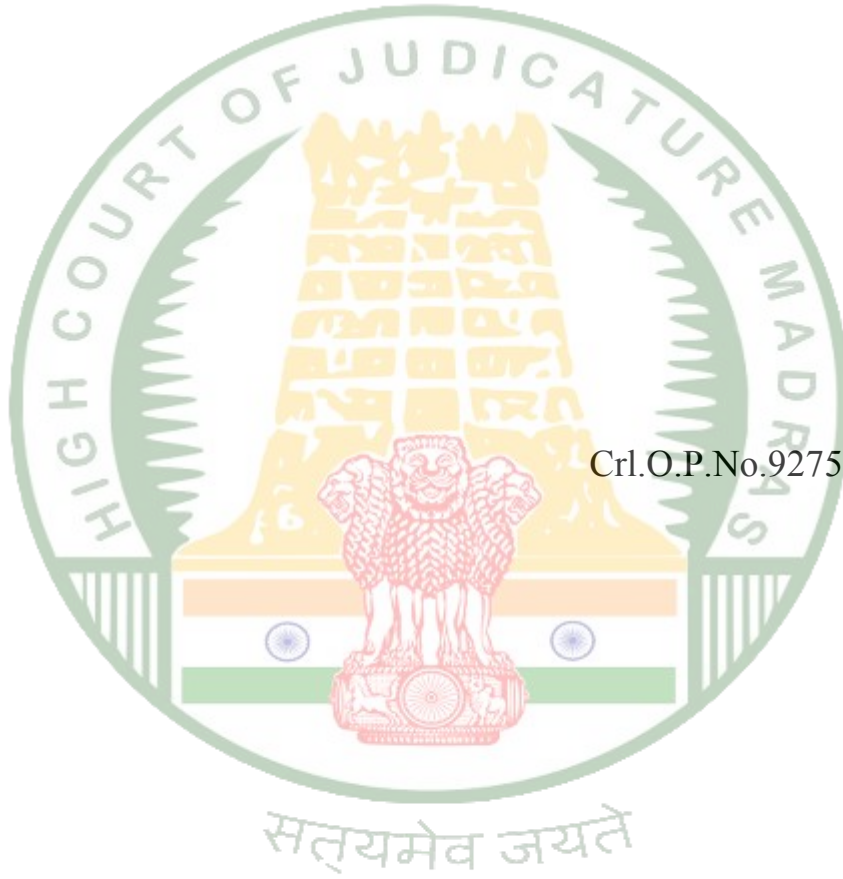
To

1. The Judicial Magistrate, Sulur.
2. The Inspector of Police, Sulur Police Station, Coimbatore.
3. The Public Prosecutor, Madras High Court, Chennai.

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G.K.ILANTHIRAIYAN, J

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