

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.07.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.10215 of 2020

1. Murugaiyan
2. Viswanathan
3. Vanjinathan

... Petitioners

Vs.

The State Rep. By its
The Inspector of Police,
Nanilam Police Station,
Thiruvarur District.
(Crime No.1158 of 2020)

... 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.1158 of 2020 on the file of the Inspector of
Police, Nanilam Police Station, Thiruvarur District.

For Petitioners : M/s.Greetha Senthilkumar

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

O R D E R

The petitioners who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 147,
148, 294(b), 323, 324 & 506(ii) of IPC @ 294(b), 323 and 506(i) of
IPC, in Crime No.1158 of 2020, seek anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel
between the petitioners and the de-facto complainant, as a result of
which, the petitioners had abused and attacked the de-facto
complainant and caused injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the
petitioners are innocent persons and they have not committed any
offence as alleged by the prosecution. Therefore, he prays to grant
anticipator bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that
there was a wordy quarrel between the petitioners and the de-facto
complainant, as a result of which, the petitioners had abused and
attacked the de-facto complainant and caused injuries. He would
further submit that the victim has been discharged from the hospital.

5. Considering the above fact and circumstances of the case, 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 District Munsiff cum Judicial Magistrate, Nanilam, Thiruvavarur District, on condition that each of 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 1 and 3 shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, every Monday at 10.30 a.m., until further orders.

[c] the 2nd petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, every Monday at 10.30 a.m., until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

[f] 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].

[g] If the accused thereafter abscond/s, a fresh FIR can be registered under Section 229A IPC.

-sd/-

07/07/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, NANNILAM,
THIRUVARUR DISTRICT.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

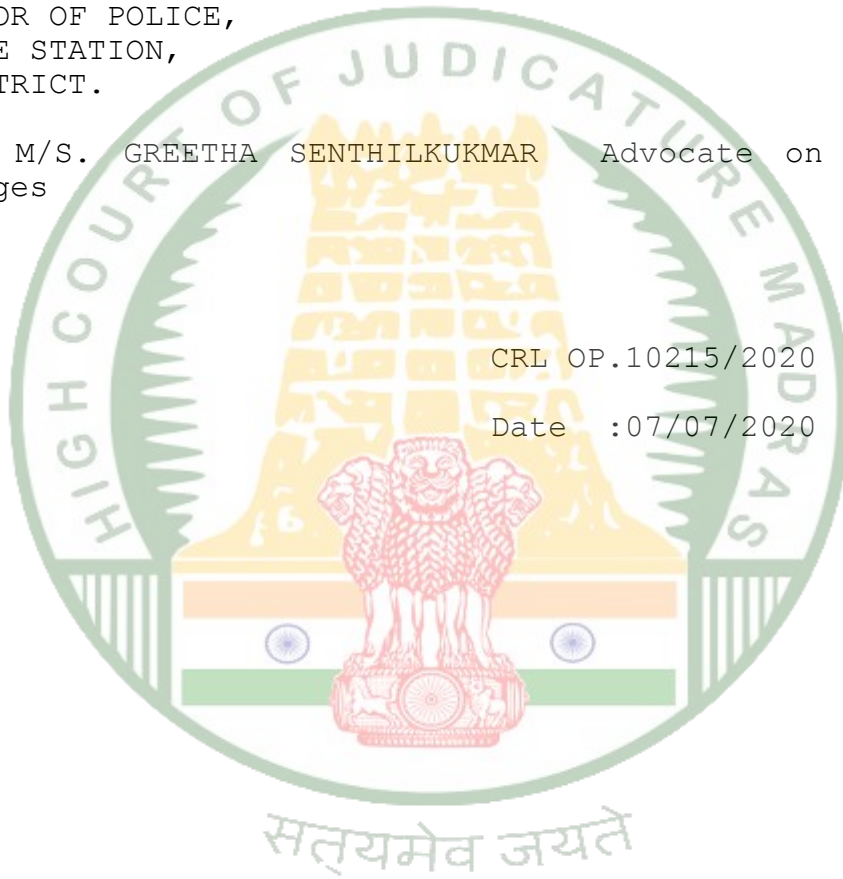
3 THE INSPECTOR OF POLICE,
NANNILAM POLICE STATION,
THIRUVARUR DISTRICT.

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

CRL OP.10215/2020

Date :07/07/2020

RVR 01/09/2020



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