

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twelfth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.4881 of 2021

1 SANKAR @ GOWRISANKAR [PETITIONERS / ACCUSED]
2 PONNUDURAI @ PONDURAI
3 VICKY @ VIGNESWARAN

Vs

STATE REP.BY [RESPONDENT]
THE INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
TIRUPPUR CITY.
CR.NO.112 OF 2021.

For Petitioner : M/S. M.VIJAYA RAGAVAN Advocate

For Respondent : MR.S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners are A3 to A5. Apprehending arrest at the hands of the respondent police for the alleged offence under Sections 147, 148, 294(b), 324 and 506(ii) of IPC on the file of the respondent police in Crime No.112 of 2021, the petitioners seeks anticipatory bail.

2. The case of the prosecution is that the petitioners in inebriated condition picked up quarrel with the defacto complainant and abused the defacto complainant in filthy language and assaulted him with weapons. Hence, the respondent police registered a case against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners did not indulged in any offence. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners in inebriated condition picked up quarrel with the defacto complainant and abused the defacto complainant in filthy language and attacked him with weapons. He further submitted that A1 and A2 were arrested and they

are still in judicial custody. The injured was discharged from the hospital.

5. Considering the facts and circumstances of the case, and the fact that in a wordy quarrel the occurrence had taken place and the injured was discharged from hospital, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions :

(a) 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 of receipt of a copy of this order, before **the learned Judicial Magistrate No.IV, Tiruppur**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(b) 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.

(c) The petitioners shall appear before the respondent daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

(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 absconds, a fresh FIR can be registered under Section 229A IPC.

6. With the above directions, this Criminal Original Petition is ordered.

-sd/-
12/03/2021

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

TRUE COPY

TO

1 THE JUDICIAL MAGISTRATE,
NO.IV, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

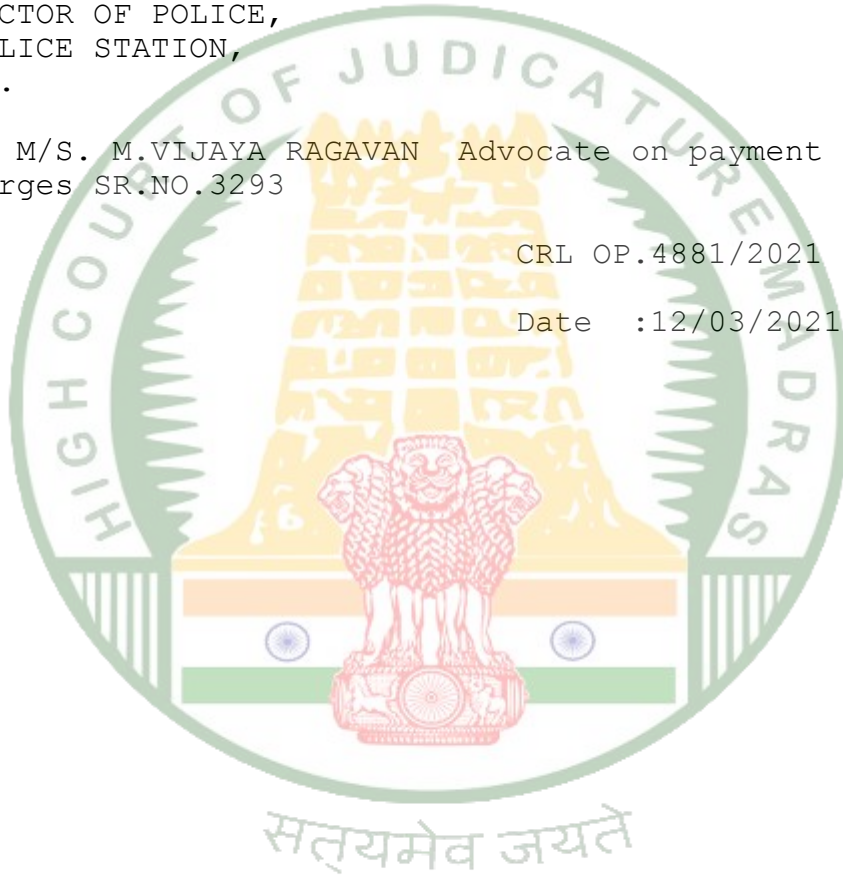
4 THE INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
TIRUPPUR CITY.

+1 CC to M/S. M.VIJAYA RAGAVAN Advocate on payment of
necessary charges SR.NO.3293

CRL OP.4881/2021

Date :12/03/2021

TA-23/03/2021



WEB COPY