



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2021

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P.No. 5606 of 2021

1.Raja
2.Vignesh
3.Sankar
4.Arivu @ Arivanandham
5.Venkatesh @ Venkateswaran
6.Prabakaran
7.Tamil @ Tamilselvan
8.Kutthush @ Velmurugan
9.Bharati

... Petitioners

-Vs-

The State
Represented by its,
The Inspector of Police,
Vikrapandiyam Police Station,
Tiruvarur District.
(Crime No. 42 of 2021)

... Respondent

Prayer: Criminal Original petition filed under Section 438 of Code of Criminal Procedure to grant anticipatory bail to the petitioners in the event of their arrest or on their appearance before any court in connection with the case in Crime No.42 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.D.Lakshmipathy
For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

Totally, there are 11 accused and the petitioners herein, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147,148,341,294(b),324,336 and 506 (ii) IPC and Section 3(i) of TNPPLD Act, in Crime No. 43 of 2021, on the file of the respondent/Police, seek anticipatory bail.

2. The case of the prosecution is that there was a previous
<https://hcservices.ecourts.gov.in/hcservices/> enmity between the defacto complainant and the petitioners. On



15.01.2021 at about 4.30 p.m., on account of wordy quarrel between the defacto complainant and the petitioners, the petitioners said to have attacked the defacto complainant and others, caused injuries and also damaged the vehicle. Hence, the complaint.

WEB COPY

3.The learned counsel for the petitioners would submit that though wordy quarrel between the parties took place, the petitioners are no way connected with this crime and as such a case has been falsely implicated by the respondent/police. The learned counsel for the petitioners would further submit that the petitioners would duly abide by the conditions to be imposed by this Court. Hence, he prays for anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent/police would submit that the injured person has been discharged from the hospital.

5. Considering the facts and circumstances of the case and in view of the fact that the injured person 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate II, Mannargudi on condition that each of the petitioners shall execute a 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, this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix his 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 thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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

-sd/-

22/03/2021

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.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VIKRAPANDIYAM POLICE STATION,
TIRUVARUR DISTRICT.

+1 CC to M/S. D.LAKSHMIPATHY Advocate on payment of necessary charges SR.NO.3853

CRL OP.5606/2021

Date :22/03/2021

TA-01/04/2021