

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7050 of 2021

1 BADMAVATHY
2 RAMADOSS
3 SEKAR
4 SAMPATH
5 SARAVANAN

[PETITIONERS / ACCUSED]

Vs

THE STATE THROUGH [RESPONDENT]
THE INSPECTOR OF POLICE,
M3, PUZHAL POLICE STATION,
MADHAVARAM,
THIRUVALLUR DISTRICT.
CR.NO.95/2021

For Petitioner : M/S.V.M.VENKATARAMANA Advocate

For Respondent : M/S. P.KRITIKA KAMAL, Government Advocate (crl.side)

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 147, 447, 323, 506(ii) of I.P.C. read with Section 3 of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992 (TNPPDL Act) in Cr.No.95 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioners are alleged to damaged the fence put up by the defacto complainant.

3. The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case.

4. The learned Government Advocate submitted that the petitioners are arrayed as A1 to A5 in the case.

5. Considering the fact that this is a civil dispute, this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Madhavaram, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 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 Court concerned 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 two 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 petitioner 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

15/04/2021

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, MADHAVARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

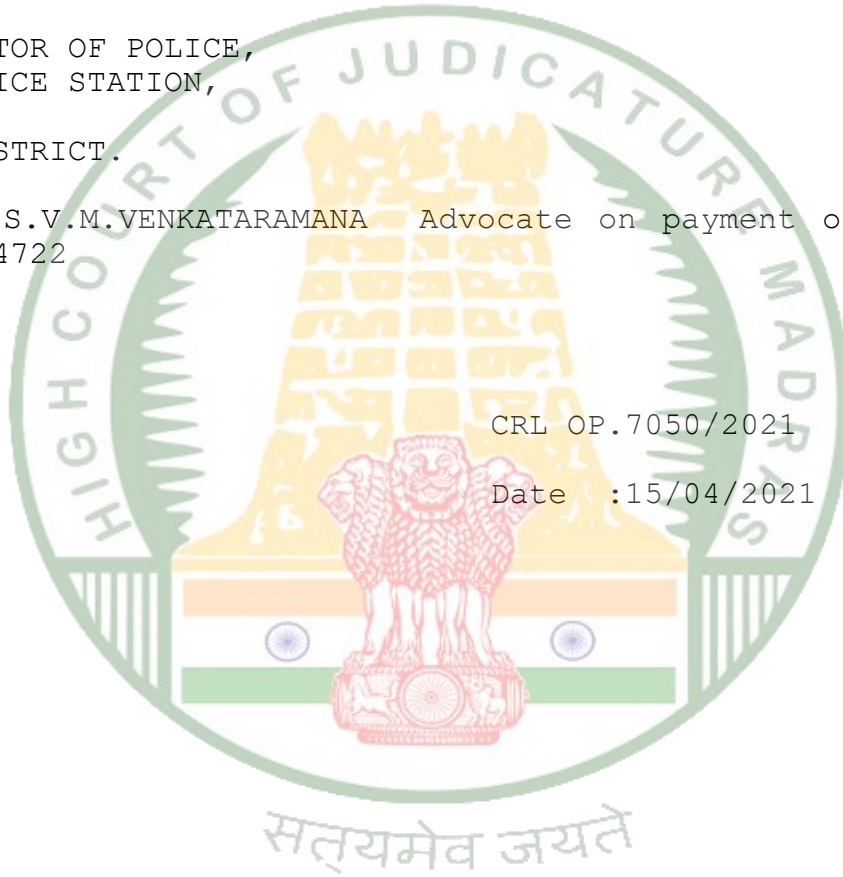
4 THE INSPECTOR OF POLICE,
M3, PUZHAL POLICE STATION,
MADHAVARAM,
THIRUVALLUR DISTRICT.

+1 CC to M/S.V.M.VENKATARAMANA Advocate on payment of necessary
charges SR.No.4722

cs 16/04/2021

CRL OP.7050/2021

Date :15/04/2021



WEB COPY