

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Thirtieth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7498 of 2021

1 JAYARAMAN

[PETITIONERS / ACCUSED]

2 RAJADURAI

3 RAJA

4 M.G.R.

5 JAYASEELAN

6 PITCHAI @ PITCHAIMUTHU

7 BALAGANESH @ BALACHANDAR

8 RAVI

9 ANNADURAI

10 ANBALAGAN

11 RAMESH

12 KUTTI MUNUSAMY

13 SETTU

14 POONGAN

15 SELVAM

16 SURESH

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE,

KALASAPAKKAM POLICE STATION,

THIRUVANNAMALAI DISTRICT.

CR.NO.119 OF 2021.

[RESPONDENT]

For Petitioner : M/S. S.B.VISWANATHAN Advocate

For Respondent : MR. T.SHUNMUGARAJESWARAN, Govt. 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 offences punishable under Sections 147, 148, 294(b), 324, 506(ii) and 307 of IPC, in Crime No.119 of 2021, seek anticipatory bail.

2. The case of the prosecution is that due to election enmity, all the accused persons joined together and attacked the de-facto complainant and five others with iron rod. Due to which, two persons sustained injuries.

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

4. The learned Government Advocate (Crl. Side) submitted the victims have already been discharged from the hospital.

5. Taking into consideration, the facts and circumstances of the case and also of the fact that the victims have already 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 District Munsif cum Judicial Magistrate, Kalasapakkam, Thiruvannamalai District, 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 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 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, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

30/04/2021

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
JUDICIALMAGISTRATE, KALASAPAKKAM,
THIRUVANNMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNMALAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
KALASAPAKKAM POLICE STATION,
THIRUVANNMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. S.B.VISWANATHAN Advocate on payment of necessary charges Sr.5670

WEB COPY
CRL OP.7498/2021
Date :30/04/2021

RVR 15/06/2021