

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Second day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.7532 of 2021

1 ASOKAN
2 DHANDAPANI

[PETITIONERS / ACCUSED]

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
VANIYAMBADI TALUK POLICE STATION,
VANIYAMBADI, TIRUPATHUR DISTRICT
(CR.NO.130/2021)

For Petitioner : M/S.G.VINOTH KUMAR Advocate

For Respondent :MR. T.SHUNMUGARAJESWARAN, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under Sections 294(b), 353 and 506(i) of IPC in Crime No.130 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. The case of the prosecution is that the defacto complainant is the Sub-Inspector of Police. While the defacto complainant and the other police officials were on bundobust duty during election period, some political party members abused and threatened her with dire consequences. Hence, the complaint.

4. The learned counsel for the petitioners would submit that the petitioners did not commit any offence as alleged by the prosecution. They have been falsely implicated in this case. Hence, they sought for anticipatory bail.

5. The learned Additional Public Prosecutor would submit that petitioners have abused and threatened the defacto complainant, who is on public duty. He further submitted that the petitioners have no previous case against them.

6. Taking into consideration the facts and circumstances of the case and the nature of allegation against the petitioners and also the submissions made by the learned Additional Public Prosecutor that there is no previous case against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

7. Accordingly, the petitioners are ordered to be released on bail on condition that each of the petitioners shall pay a sum of Rs.1000/- (Rupees One Thousand only) as costs, to the credit of the President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157) and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Vaniyambadi, within a period of 15 days from the date of receipt of a copy of this order, on their executing 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 and on further condition that:

[a] the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] each of the petitioners shall pay a sum of Rs.1000/- (Rupees One Thousand only) as costs, to the credit of the President, Tamil Nadu Advocates Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157).

[c] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, as and when required for interrogation.

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

[e] the petitioners shall not tamper with evidence or witness 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, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

22/04/2021

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 JUDICIAL MAGISTRATE,
VANIYAMBADI

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
VANIYAMBADI TALUK POLICE STATION,
VANIYAMBADI, TIRUPATHUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE PRESIDENT, TAMIL NADU
ADVOCATES CLERK ASSOCIATION, MADRAS HIGH
COURT, CHENNAI (INDIAN BANK, HIGH COURT,
BRANCH, A/C NO.4840226006, IFSC CODE:IDIB000M157)

CC to M/S.G.VINOTH KUMAR Advocate on payment of necessary charges Sr.5184

सत्यमेव जयते

CRL OP.7532/2021

Date :22/04/2021

RVR 29/04/2021

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