

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Sixth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7842 of 2021

1 K.A.KATTUDURAI
2 VEERAMANI
3 A.NACHIMUTHU
4 JAYADEVAN
5 V.SANGILI
6 SAMPATHKUMAR
7 KARTHICK
8 SAHABUDEEN
9 S.R.KUMAR
10 RANJITH KANNAN
11 M.R.VIJAY
12 U.NARAYANAN
13 C.S.ARJUN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
INSPECTOR OF POLICE,
D-2, SELVAPURAM POLICE STATION,
COIMBATORE.
CRIME NO.321 OF 2021.

[RESPONDENT]

For Petitioner : M/S.S.SHANKAR 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 alleged offence under Sections 143, 341, 353, 269 and 506(i) of IPC in Cr.No.321 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 06.04.2021, during election, the political party candidate entered into the booth along with five other persons, and the same was objected by the defacto complainant, a quarrel arose between the petitioners and other accused persons and the defacto complainant.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely

implicated in this case. Hence, he prays to grant bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that in this case, there are 200 persons involved in this case. A quarrel arose between two political parties during election and both the parties were attacked each other.

5. Taking into consideration of the facts and circumstances of the case and the submissions made on either side, this Court is inclined to grant bail to the petitioners subject to the following conditions:

(a) Accordingly, 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-V, Coimbatore**, 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:

(b) 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;

(c) 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;

(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]**; and;

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

-sd/-
26/04/2021

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 NO.V,
COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
D-2, SELVAPURAM POLICE STATION,
COIMBATORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT OF MADRAS, CHENNAI.

CC to M/S.S.SHANKAR Advocate on payment of necessary charges

CRL OP.7842/2021

Date :26/04/2021

rg.06.05.2021



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