

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Eighth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7926 of 2021

1 M.N.BOPANNA [PETITIONERS / ACCUSED]
2 K.DHARSHAN

Vs

STATE REP.BY ITS [RESPONDENT]
INSPECTOR OF POLICE,
KOLACOMBAI POLICE STATION,
THE NILGIRIS.
CR.NO.8 OF 2021.

For Petitioner : M/S.S.RAMACHANDRAN 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 punishable under Section 353 of IPC, in Crime No.8 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners who were working as management staff in Craigmore Plantations (India) Private Limited prevented the Village Administrative Officer, to enter into the Estate and inspect the Estate. Hence, the complaint.

3.The learned counsel appearing for the petitioners submit that the petitioners did not commit any offence as alleged by the prosecution. However, on instructions the learned counsel for the petitioners submitted that hereinafter the petitioners will not prevent the government officials to inspect the Estate and sought for grant of anticipatory bail to the petitioners .

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the petitioners prevented the Village Administrative Officer in performing his duty.

5.Taking into consideration the facts and circumstances of the case and also the undertaking given by the petitioners, 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 Judicial Magistrate, Coonoor, on condition that the petitioner 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 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 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;

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

-sd/-

28/04/2021

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,
COONOOR.

2 THE CHIEF JUDICIAL MAGISTRATE,
NILGIRIS. (FOR INFORMATION)

4 THE INSPECTOR OF POLICE,
KOLACOMBAI POLICE STATION,
THE NILGIRIS.

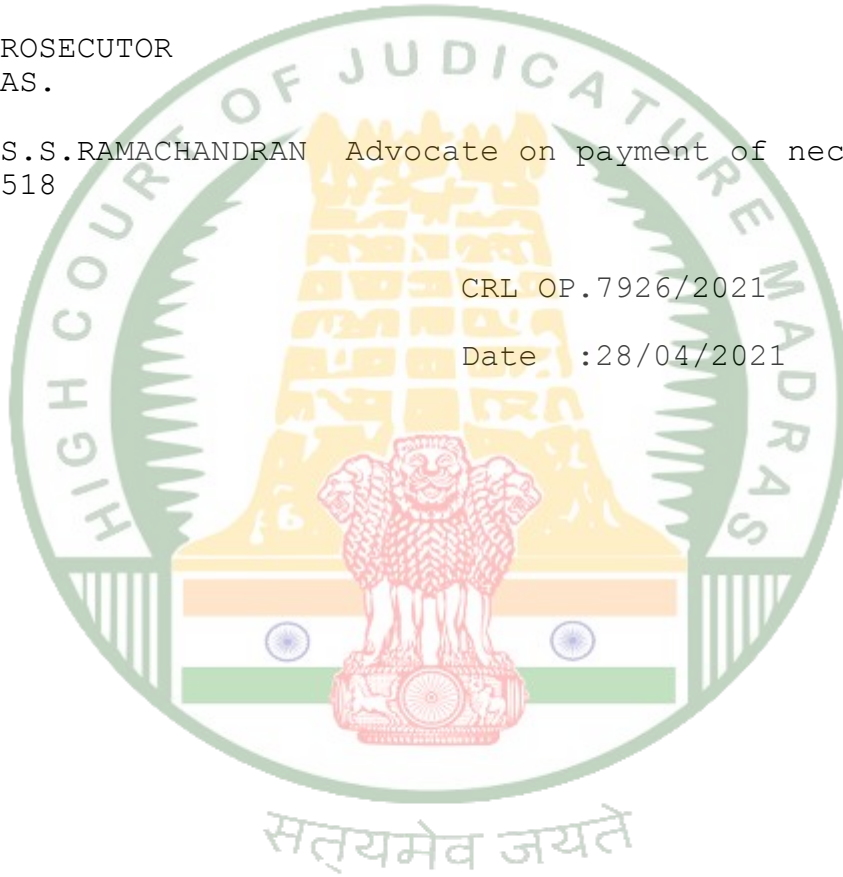
5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.RAMACHANDRAN Advocate on payment of necessary
charges SR.No. 5518

CRL OP.7926/2021

Date :28/04/2021

RG.11.05.2021



WEB COPY