

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.05.2021

CORAM :

THE HON'BLE MRS. JUSTICE S.KANNAMMAL

Crl.O.P.No.9050 of 2021

1. Saravanan
2. Rajasekar
3. Muruganantham

... Petitioners/Accused- 1 to 3

Vs.

The State Rep. by
The Inspector of Police,
SIPCOT Police Station,
Vellore District.
(Crime No.133 of 2021)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code, to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.133 of 2021 on the file of the Respondent.

For Petitioner : Mr.S.N.Arunkumar

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate

O R D E R

(The case has been heard through video conference)

The Petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 352 and 506(ii) of IPC in Crime No.133 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to land dispute, the petitioners abused the defacto complainant in filthy language and attacked him with hands and also intimidated him with dire consequences. Hence, the case came to be registered.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case and hence, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate submitted that no one sustained injury in this case.

5. Considering the facts and circumstances of the case and also taking note of the fact that no one sustained injury, 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 on their appearance, within a period of fifteen days from the date of receipt of a copy of this order before the learned Munsif-cum Judicial Magistrate, Ranipet, 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 learned Magistrate concerned and on further conditions that:

(b) the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate 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, as and when required for interrogation.

(d) the petitioners shall not commit any offences of similar nature;

(e) the petitioners shall not abscond either during investigation or trial;

(f) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(g) 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];

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

7. With the above directions, this Criminal Original Petition is ordered.

-sd/-

12/05/2021

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, RANIPET

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.N.ARUNKUMAR Advocate on payment of necessary
charges Sr.6100

CRL OP.9050/2021

सत्यमेव जयते Date : 12/05/2021

RVR 18/06/2021

WEB COPY