

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2021

CORAM

THE HON'BLE MRS. JUSTICE R.SUBRAMANIAN

CrI.O.P.No.9211 of 2021

1. Sureshkumar ... Petitioners
2. Ramesh
3. Saravanakumar
4. Ranjeth Kumar

Vs.

State represented by ... Respondent
The Sub Inspector of Police,
Veeranam Police Station,
Salem District.
(Crime No.228 of 2021)

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioners on bail in the event of their
arrest in Crime No.228 of 2021 on the file of the Sub Inspector of
Police, Veeranam Police Station, Salem District.

For Petitioners : Mr.R.Rajadurai

For Respondent : Mr.L.Baskaran
Govt. Advocate (CrI.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the
respondent police for the alleged offences punishable under Sections
147, 148, 294(b), 324 and 307 of IPC in Crime No.228 of 2021, on the
file of the respondent police, seek anticipatory bail.

2.The learned counsel for the petitioners would submit that no
specific overt act has been alleged in the FIR as against the
petitioners.

3. A perusal of the FIR shows that the occurrence had taken
place due to certain dispute between the petitioners and others. It
is also seen that the defacto complainant and the petitioners are
relatives.

4. In view of the above, I am of the opinion that the
petitioners could be granted anticipatory bail. Accordingly, this
Criminal Original Petition is allowed and the petitioners are ordered
to be released on bail in the event of arrest or on their appearance
before the learned Judicial Magistrate-IV, Salem within 15 days from

the date of resumption of regular hearings in the said Court subject to the following conditions:

[a] 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, failing which, the petition for anticipatory bail shall stand dismissed;

[b] 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;

[c] the petitioners shall not leave their present place till the investigation over;

[d] the petitioners shall report before the respondent police as and when required for interrogation;

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioners shall not abscond 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 persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

5.Considering the present situation, the petitioners are granted 15 days time to execute the bond and furnish sureties from the date of commencement of regular functioning of the court below. In the event of violation of any of the conditions, the anticipatory bail granted will stand automatically cancelled.

-sd/-

03/06/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

TO

1 THE JUDICIAL MAGISTRATE,
NO.IV, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

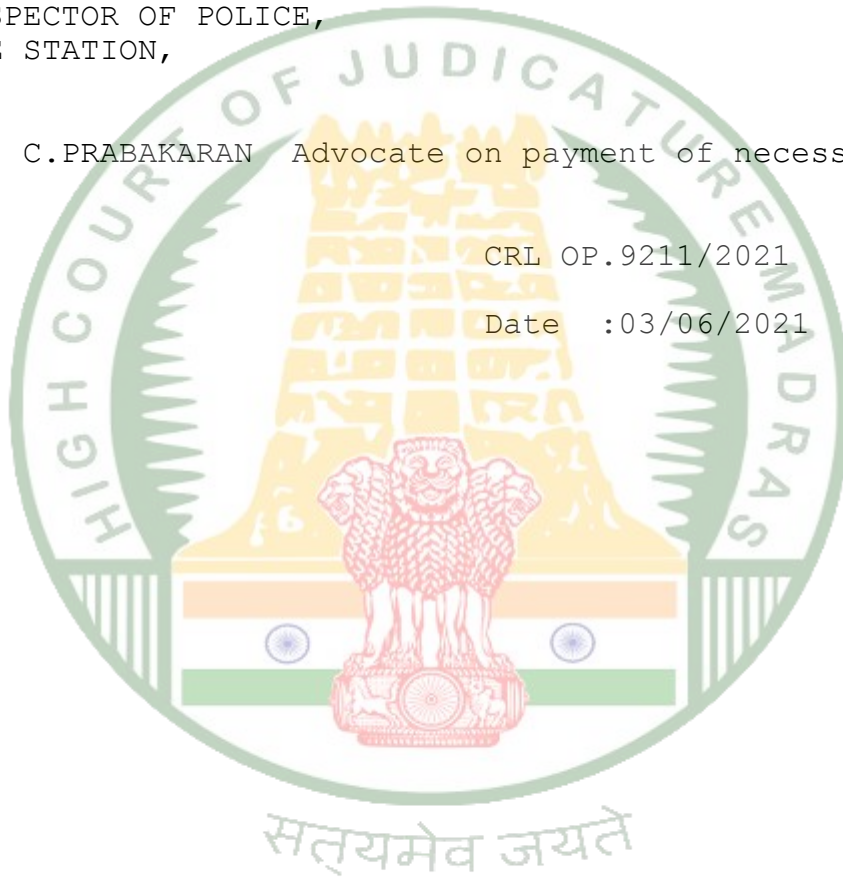
4 THE SUB INSPECTOR OF POLICE,
VEERANAM POLICE STATION,
SALEM DISTRICT.

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

CRL OP.9211/2021

Date :03/06/2021

TA-13/07/2021



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