

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.OP.No.9612 of 2021

1.Mr.Settu
2.Kumar
3.Parthiban
4.Dhanush Kodi
5.Neelakandan
6.Arul

... Petitioners

Vs.

State rep. by
The Inspector of Police,
Arakkonam Taluk Police Station,
Ranipet District.
Crime No.116 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge him on anticipatory bail in the event of arrest in
Crime No.116 of 2021 on the file of the Inspector of Police, Arakkonam
Taluk Police Station, Ranipet District.

For Petitioner : Mr.K.Gajendran

For Respondent : Mr.A.Damodaran
Government Advocate
(Crl.Side)

O R D E R

(This case has been heard through video conference)

The petitioners who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 147, 148,
294(b), 323,324 and 506(ii) of IPC in Crime No.116 of 2021, seek
anticipatory bail.

2. The case of the prosecution is that there was a quarrel between the petitioners and the defacto complainant's family and it is alleged that the petitioners have said to have assaulted the defacto complainant and abused him in unparliamentary words. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that due to the family dispute, the petitioners attacked the defacto complainant and the injured has been discharged from the hospital.

5. Considering the above fact and circumstances of the case and also of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of four weeks from the date of normal functioning of the Court below, (i.e.,) before the learned Judicial Magistrate, Arakkonam, Ranipet District, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate 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 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].

[f] If the accused thereafter abscond/s, a fresh FIR can be registered under Section 229A IPC.

-sd/-

27/05/2021

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 JUDICIAL MAGISTRATE COURT,
ARAKKONAM, RANIPET DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
ARAKKONAM TALUK POLICE STATION,
RANIPET DISTRICT.

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

WEB COPY

CRL OP.9612/2021

Date :27/05/2021

cs 08/07/2021