

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2021

CORAM

THE HON'BLE MRS. JUSTICE R.SUBRAMANIAN

Crl.O.P.No.9803 of 2021

1.Nachimuthu
2.Thangavel
3.Mouli

... Petitioners

Vs.

The Inspector of Police,
Alangiyam Police Station,
Alangiyam,
Dharapuram Taluk,
Tiruppur District.
(Crime No.151 of 2021)

... Respondent

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.151 of 2021 on the file of the respondent.

For Petitioners : Mr.S.Doraiswamy

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

ORDER

The petitioners, who apprehend arrest pursuant to the First Information Report registered against them in Crime No.151 of 2021 on the file of the respondent police under Sections 294(b), 323, 324 and 506(ii) IPC, seek anticipatory bail.

2. A perusal of the First Information Report shows that the dispute is between the father and son with respect to irrigation of lands belonging to them.

3. I am therefore, 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, Dharapuram, 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.5,000/- (Rupees Five 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 report before the respondent police 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];

[g] if the accused persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

4. 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

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
DHARAPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

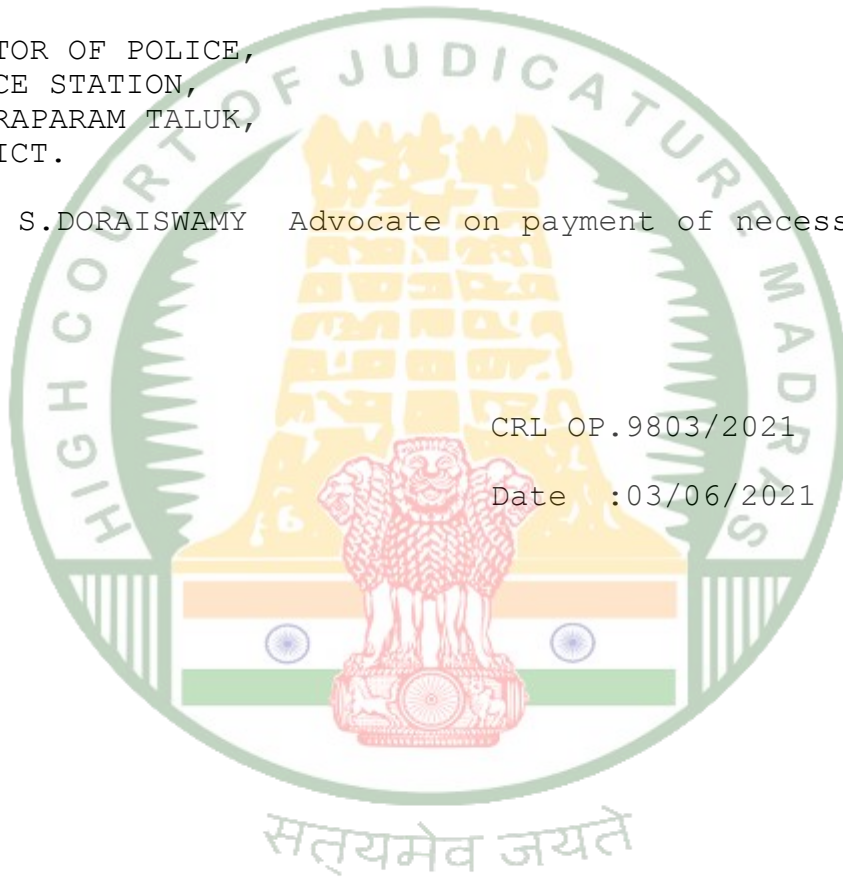
4 THE INSPECTOR OF POLICE,
ALANGIYAM POLICE STATION,
ALANGIYAM, DHARAPARAM TALUK,
TIRUPPUR DISTRICT.

+1 CC to M/S S.DORAISWAMY Advocate on payment of necessary charges
SR.No.6358

cs 17/06/2021

CRL OP.9803/2021

Date :03/06/2021



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