



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2021

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

Cr1.O.P.No.10159 of 2021

1.Munusamy
2.E.Anandababu
3.S.Suresh
4.Arasan

... Petitioners

Vs.

State by
The Inspector of Police,
Pullarambakkam Police Station
Thiruvallur District.
(Cr.No.206 / 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 by the respondent police in Cr.No.206 / 2021 pending on the file of the Inspector of Police, Pullarambakkam Police Station, Thiruvallur District or on their appearance before the Court.

For Petitioners : Mr.N.Sudharsan

For Respondent : Mr.L.Baskaran
Government Advocate (Cr1.side)

O R D E R

(The case has been heard through video conference)

The petitioners apprehend arrest by the respondent police for the alleged offences under Sections 147, 294(b), 323 and 506(i) of IPC and 3(2) of Prevention of Damage to Public Property Act, 1984, in Crime No.206 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the petitioners caused damage to the car owned by the defacto complainant on 28.05.2021 and also abused him by using filthy language. An injury was also caused to the defacto complainant.



3. However, it is the case of the petitioners that they are innocent and no way involved in the offences as alleged by the prosecution.

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent police on instructions would submit that the damage caused to the car of the defacto complainant by the petitioners will amount to a sum of Rs.3,500/- approximately.

5. The learned counsel appearing for the petitioners also would submit that a counter complaint was lodged by the petitioners against the defacto complainant and the defacto complainant was arrested and thereafter released on bail.

6. After giving due consideration to the aforementioned factors, this Court is inclined to grant anticipatory bail to the petitioners subject to the fulfilment of the following conditions.

7. 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 lifting of lockdown or the commencement of Courts normal functioning whichever is earlier, before the learned Judicial Magistrate No.I, Thiruvallur, on condition that the petitioners shall execute separate bonds 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners to pay jointly a sum of Rs.3,500/- (Rupees Three thousand Five hundred only) to the defacto complainant within a fortnight from the date of receipt of a copy of this order either by way of Demand Draft (DD) or by Fund Transfer;

[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/-
11/06/2021

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,
NO.I, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
PULLARAMBAKKAM POLICE STATION,
THIRUVALLUR DISTRICT.

CC to M/S.N.SUDHARSAN Advocate on payment of necessary charges

CRL OP.10159/2021

Date :11/06/2021

cs 14/07/2021