

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CrI.O.P.No.10677 of 2021

1. Venkatesan
2. Murugan
3. Rajkumar

... Petitioners

Vs.

The State Represented by :-
Inspector of Police,
Pernanamallur Police Station,
Tiruvannamalai.
(Crime No.Not known of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.not known of 2021 pending on the file of the respondent police.

For Petitioner : Mr.M.Arun Kumar

For Respondent : Mr.A.Gopinath
Government Advocate (CrI side)

O R D E R

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, 336 and 506(ii) of IPC in Cr.No.not known of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 16.06.2021, the petitioners assaulted the defacto complainant due to wordy quarrel between them. Based on the complainant of the defacto complainant, the Law Enforcing Agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he is falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) submitted that there was a wordy quarrel between the petitioners and the defacto complainant with regard to dashing the petitioner's gate. No one sustained injury.

5. Considering the facts and circumstances of the case and the submissions made on either side, 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 or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Cheyyar on condition that the petitioners shall execute separate bond 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 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 Court concerned 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 daily at 10.30 a.m. until further orders;

(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 petitioner 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]; and;

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

-sd/-

21/06/2021

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,
CHEYYAR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANAMALLAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
PERANAMALLUR POLICE STATION,
TIRUVANNAMALAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.ARUN KUMAR Advocate on payment of necessary charges

CRL OP.10677/2021

Date :21/06/2021

RVR 12/07/2021

सत्यमेव जयते

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