



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.12802 of 2021

1.Saravanan
2.Karthika
3.Meenachi

... Petitioners

Vs.

State Represented by
Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
(Cr.No.801 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C prayed to enlarge the petitioners on bail in the event of their arrest in Crime No.801 of 2021 on the file of the respondent police.

For Petitioners : Mr.Swami Subramanian

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

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 323 and 506(ii) of IPC in Crime No.801 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there were some land dispute between the petitioners and the defacto complainant, due to which there were some wordy quarrel between them and thereby, the petitioners attacked the defacto complainant and his wife. Hence, the respondent police has registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution and they are falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that the petitioners have not caused any injury to the defacto complainant and there are no previous cases pending against the petitioners.



5. Considering the facts and circumstances of the case and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioners.

WEB COPY

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate , Thiruvarur**, on condition that the petitioner 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 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 for a period of two weeks and thereafter 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 petitioner 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;

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

-sd/-
28/07/2021

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

TRUE COPY



TO

1 THE JUDICIAL MAGISTRATE,
THIRUVARUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KODAVASAL POLICE STATION,
THIRUVARUR DISTRICT.

+1 CC to M/S.SWAMISUBRAMANIAN Advocate on payment of necessary
charges SR.NO.782600

CRL OP.12802/2021

Date :28/07/2021

TA-05/08/2021