



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.12854 of 2021

1.Sankar
2.S.Kanniappan

... Petitioners

Vs.

The Inspector of Police,
D3, Kanagammachatram Police Station,
Tiruttani Taluk,
Tiruvallur District.
Cr.No.45 of 2019.

... Respondent

Prayer :

Petition filed under Section 438 of Cr.P.C., seeking to enlarge the petitioners herein on anticipatory bail in Crime No.45 of 2019 on the file of the respondent Police.

For Petitioners : Mr.S.Arunkumar

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

ORDER

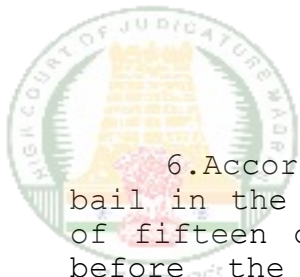
The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 147, 148, 341, 294(b), 323, 324, 307 of IPC in Cr.No.45 of 2019 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to election dispute, the petitioners are alleged to have assaulted the defacto complainant.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and that they have been falsely implicated in the case.

4.The learned Government Advocate (Criminal Side) submitted that investigation is still pending.

5.Considering the facts and circumstances of the case, 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, Tiruttani, Thiruvallur 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 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 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]**; and;

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

-sd/-

27/07/2021

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,
THIRUTHANI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]



3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
D-3, KANAGAMMACHATRAM POLICE STATION,
TIRUTTANI TALUK,
TIRUVALLUR DISTRICT.

+1 CC to M/S.S.ARUNKUMAR Advocate on payment of necessary
charges SR.NO.7929

CRL OP.12854/2021

Date :27/07/2021

TA-05/08/2021