



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.12951 of 2021

1.Manivannan
2.Manikandan
3.Govindharaj

... Petitioners

Vs.

State by Inspector of Police,
Thittachery Police Station,
Nagapattinam District.
Crime No.753 of 2021.

... Respondent

Prayer:

Petition filed under Section 438 of Cr.P.C., seeking to grant anticipatory bail to the petitioners in the event of their arrest pending investigation in Crime No.753 of 2021 on the file of Inspector of Police,Thittachery Police Station.

For Petitioner : Mr.M.K.Subramanian

For Respondent : Mr.C.E.Pratap for P.P.

O R D E R

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, 354 and 506(i) of I.P.C. in Cr.No.753 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners are alleged to have attacked the defacto complainant. The petitioners are arrayed as A1 to A3 in the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate submitted that there was only simple injuries and further submitted that there is no previous case as against A1 and there is one previous case as against A2 and A3.



5.Considering the fact that there was only simple injuries, 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 No.II, Nagapattinam, 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. 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 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;

(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,
NO.II, NAGAPATTINAM

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
THITTACHERY POLICE STATION,
NAGAPATTINAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.K.SUBRAMANIAN Advocate on payment of necessary
charges Sr.7817

CRL OP.12951/2021

Date :27/07/2021

RVR 04/08/2021