



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Wednesday, the Eighteenth day of August Two Thousand Twenty One

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14712 of 2021

1 P.GANDHIDASAN  
2 G.KRISHNAVENI  
3 G.RAJKUMAR  
4 G.KARTHIRAVAN  
**(\*) 5 S.GOWTHAMI**  
**W/O SUKIRAVEL**  
**(\*) 6 SUKIRAVEL**

[ PETITIONERS / ACCUSED ]

Vs

STATE REP BY  
SUB INSPECTOR OF POLICE,  
KARUVEPPILANKURICHI POLICE STATION,  
VIRUDHACHALAM TALUK,  
CUDDALORE DISTRICT

[ RESPONDENT ]

For Petitioners : M/S.K.JAYABALAN Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate ( Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence punishable under Section 323 r/w, 34 IPC and 357 of IPC in Crime No.Not Known of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the the petitioners and the defacto complainant have quarreled with heated verbal contention with regards to the share of ancestral property, due to which, they attacked each other and thereby, the defacto complainant had sustained injuries. Hence, the complaint.

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

4. The learned Government Advocate (Crl.Side) submits due to property dispute between the petitioners and defacto complainant, the present complaint has been filed. He further submits that the injured has been discharged from the hospital. However, he vehemently opposed for grant of anticipatory bail to these petitioners.



5. Considering the fact that the injured has discharged from the hospital, this court is inclined to grant anticipatory bail to these petitioners.

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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 Court-II, Virudhachalam Taluk, Cuddalore District on condition that each of 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 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/-  
18/08/2021

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

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(\*) AMENDED AS PER ORDER OF THIS COURT DATED 14/09/2021 MADE IN  
CRL.MP.No.9179 OF 2021 IN CRL.O.P.No.14712 OF 2021

TO  
WEB COPY

1 THE JUDICIAL MAGISTRATE,  
NO.III, VIRUDHACHALAM TALUK, CUDDALORE

2 THE CHIEF JUDICIAL MAGISTRATE  
CUDDALORE [FOR INFORMATION].

3 THE SUB INSPECTOR OF POLICE,  
KARUVEPPILANKURICHI POLICE STATION,  
VIRUDHACHALAM TALUK,  
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.K.JAYABALAN Advocate on payment of necessary  
charges SR.NO. 9992

CRL OP.14712/2021

Date :18/08/2021

JPA 24/08/2021

RW 15/09/2021