



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

Friday, the Thirteenth day of August Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14288 of 2021

1 M.GOPI SHANKAR
2 S.LINGESWARAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
E1, MAMALLAPURAM POLICE STATION,
CHENGALPET DISTRICT 603104.
(CRIME NO. NOT KNOWN OF 2021)

[RESPONDENT]

For Petitioner : M/S.M.RAMAMOORTHY Advocate

For Respondent : MR. C.E.PRATAP, 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 at the hands of the respondent police for the alleged offence under Sections 270, 341, 353, 363 of IPC, Section 3 of the Epidemic Diseases Act 1987 and Section 51 of the Disaster Management Act, 2005 in Cr.No.not known of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and 20 other persons gathered in a restaurant without following social distancing norms. Based on the complaint lodged by the defacto complainant, the Law Enforcing Agency registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submit that the petitioners have not been committed any offence as alleged by the prosecution and the petitioners are innocent persons. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate submits that the petitioners and other 20 persons joined together and conducted a meeting without following any social distancing norms.

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, Thirukazhukundram, Chengalpattu District 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. 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/-
13/08/2021

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.



1. THE JUDICIAL MAGISTRATE COURT,
THIRUKAZHUKUNDRAM, CHENGALPATTU DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,
CHENGALPATTU DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
E1, MAMALLAPURAM POLICE STATION,
CHENGALPET DISTRICT 603104.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.RAMAMOORTHY Advocate on payment of necessary
charges SR.NO.8502

CRL OP.14288/2021

Date :13/08/2021

INBA 24/08/2021