



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

Friday, the Thirteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14302 of 2021

1 VANCHIMUTHU [PETITIONERS / ACCUSED]
2 BABY
3 RAJASEKAR
4 VEERAKUMAR

Vs

STATE REP BY [RESPONDENT]
INSPECTOR OF POLICE,
POLICE TALUK POLICE STATION,
TIRUPPUR DISTRICT.
CRIME NO. 533 OF 2021.

For Petitioner : M/S. D.R.ARUN KUMAR Advocate

For Respondent : Mr.C.E.Pratap Government 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 294(b), 323 and 506(i) of IPC in Cr.No.533 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are adjacent land owners. On 05.08.2021, a wordy quarrel arose between the petitioners and the defacto complainant. The petitioners attacked the defacto complainant due to land dispute. Based on the complainant, the Law Enforcing Agency registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submitted 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) submitted that due to land dispute, a wordy quarrel arose between the petitioners and the defacto complainant. No one sustained injuries.

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5. Considering the fact that there is no serious allegation against the petitioners, this Court is inclined to grant anticipatory bail to the petitioner.

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-II, Pollachi 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. Within a period of two weeks and thereafter, as and 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 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/-

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.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, POLLACHI

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE (FOR INFORMATION)

3 INSPECTOR OF POLICE,
POLICE TALUK POLICE STATION,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. D.R.ARUN KUMAR Advocate on payment of necessary charges Sr.8556

CRL OP.14302/2021

Date :13/08/2021

RVR 24/08/2021