



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Second day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15829 of 2021

1 DEVAKUMAR [ PETITIONERS / ACCUSED ]  
2 S.ARUNKUMAR  
3 EDWIN

Vs

THE STATE REPRESENTED BY [ RESPONDENT ]  
THE INSPECTOR OF POLICE,  
KANDHILI POLICE STATION,  
TIRUPATTUR DISTRICT.  
CRIME NO.242 OF 2021.

For Petitioner : M/S.D.JAGADEESAN 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 at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506 (i) of IPC in Crime No.242 of 2021 seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are relatives and there was some land dispute between them. Due to which the petitioners abused and attacked the defacto complainant and caused injuries to him and also threatened her with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that there was a counter case also registered and the injured was discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that due to civil dispute between the parties, the occurrence had taken place and the injured was discharged from the hospital and there was a



counter case also registered. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the injured was discharged, 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 Court No.II at Tirupattur, Tirupattur District** on condition that each of the petitioners shall execute a separate 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/-

02/09/2021

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

TRUE COPY



1 THE JUDICIAL MAGISTRATE,  
NO.II, THIRUPPATHUR, THIRUPPATHUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE  
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
KANDHILI POLICE STATION,  
TIRUPATTUR DISTRICT.

+1 CC to M/S.D.JAGADEESAN Advocate on payment of necessary  
charges SR.NO.8457

CRL OP.15829/2021

Date :02/09/2021

TA-14/09/2021