



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16302 of 2021

1 E.SRINIVASULU [PETITIONERS / ACCUSED]
2 E.S. SIVAKUMAR
3 E. JAGADESH BABU

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
VELLAIKOIL POLICE STATION,
TIRUPPUR DISTRICT.
(CRIME NO.908/2021)

For Petitioner : M/S N.MANOCHARAN Advocate

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

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

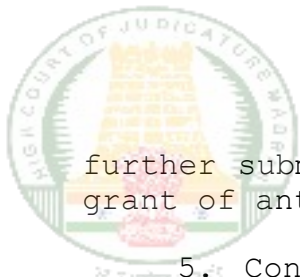
ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b) and 364 IPC in Crime No.908 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that one Ravi Maestri engaged to harvest the sugar cane in and around where the petitioners have agricultural land and collected huge money from the petitioners and thereafter for not completing the harvesting, the petitioners demanded for money. Subsequently the Money was repaid by Ravi to the second petitioner. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (CrI.Side) submits it was purely a money transaction dispute between the Ravi Maestri and the petitioners. He further submits that there is no money dues. He



further submits that A2 have one previous case. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Magistrate, Kangayam* on condition that each of the petitioners shall execute a 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/-
08/09/2021

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,
KANGAYAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VELLAIKOIL POLICE STATION,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S N.MANOCHARAN Advocate on payment of necessary
charges SR.NO.9756

CRL OP.16302/2021

Date :08/09/2021

CSK 24/09/2021