



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fourteenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16518 of 2021

1 RAMESH	[PETITIONERS / ACCUSED]
2 EZHILARASAN	
3 MUNIBABU	
4 PRAVEEN KUMAR	
5 FRANCIS	
6 MUNUSAMY	
7 MANJULA	
8 NAGAMMAL	
9 REVATHY	
10 SANJAI	

Vs

THE STATE REP.BY ITS	[RESPONDENT]
THE INSPECTOR OF POLICE,	
SHOLAVARAM POLICE STATION,	
THIRUVALLUR DISTRICT.	
(CR.NO.1290 OF 2021)	

For Petitioner : M/S.S.ARIVAZHAGAN 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 apprehend arrest at the hands of the respondent police for the alleged offence under Sections 148, 447, 427, 294b), 506(ii) of I.P.C in Cr.No.1290 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners trespassed into the De-facto Complainant's land and uprooted several trees and also threatened the De-facto Complainant with dire consequences. Hence the compliant.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence prays for grant of anticipatory bail. However on instructions, on his own volition, he is ready to plant 500 native trees of Alamathy



village in the place earmarked by the forest authorities within a period of two weeks from today.

4.The learned Additional Public Prosecutor submitted that the investigation is pending in this case and there are no previous cases against the petitioners. He strongly opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and based on the undertaking given by the counsel for the petitioners that they will plant 500 native trees of Alamathy Village in the areas earmarked by the forest authorities, this court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are granted anticipatory bail and they 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, Ponneri, on condition that 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)if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners shall plant 500 native trees of Alamathy village in the areas earmarked by the forest authorities concerned within a period of two weeks and produce a proof at the time of furnishing the sureties without prejudice to their defence before the trial Court and the concerned Magistrate, shall accept the sureties furnished by the petitioners on production of proof by the petitioners;

(c)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;

(d)the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(e)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f)the petitioners shall not abscond either during investigation or trial;



(g) 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;

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
14/09/2021

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 NO.II,
PONNERI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
SHOLAVARAM POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.ARIVAZHAGAN Advocate on payment of necessary charges SR.NO.9989

CRL OP.16518/2021

Date :14/09/2021

CSK 23/09/2021