



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Ninth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16457 of 2021

1 PADMANABAN @ ARTHANARI GOUNDER [PETITIONERS / ACCUSED]
2 NANADHA KUMAR
3 RANGANATHAN
4 R.ELANGO

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
THIRUCHENGODE TOWN POLICE STATION,
THIRUCHENGODE,
NAMAKKAL DISTRICT.
CRIME NO.490 OF 2021.

For Petitioner : M/S.S.SARAVANAN Advocate

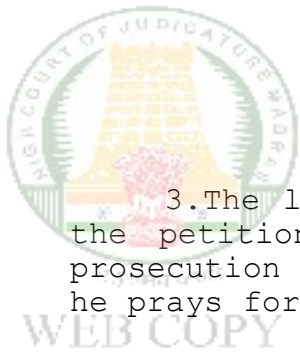
For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence punishable under Sections 447, 294(b), 323, 324 and 506(ii) IPC in Crime No.490 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a dispute between the petitioners and the defacto complainant regarding the temple's land In this connection, the petitioners have trespassed into the premises of the temple's land and tried to put up a fence, due to which, the petitioners have abused the defacto complainant and assaulted him and also threatened him with dire consequences. Thereby, the defacto complainant had sustained injuries. 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. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that there was a dispute between the petitioners and the defacto complainant regarding property belonged to the temple, the present case has been filed. He further submits that the injured has been taken treatment as outpatient.

5.Considering the fact that the injured has been taken treatment as outpatient, 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, Thiruchengodu on condition that each of the petitioners shall execute separate bonds 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.

WEB COPY

-sd/-

09/09/2021

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,
THIRUCHENGODU.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THIRUCHENGODE TOWN POLICE STATION,
THIRUCHENGODE, NAMAKKAL DISTRICT.

CC to M/S. .S.SARAVANAN Advocate on payment of necessary charges

CRL OP.16457/2021

Date :09/09/2021

RW 24/09/2021