



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Second day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16869 of 2021

1 KALA [PETITIONERS / ACCUSED]
2 MUNIRAJ
3 KOTHANDAN
4 THANIGAI BABU
5 BABU

Vs

STATE REP BY [RESPONDENT]
THE SUB INSPECTOR OF POLICE,
PALLIPET POLICE STATION,
THIRUVALLUR DISTRICT.
CRIME NO. 436 OF 2021.

For Petitioner : M/S. C.CHOKKALINGAM 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 offence under Section 153, 294(b) and 506(ii) of IPC, in Crime No.436 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners stating demonstrations and created enmity between two groups. Hence, the Law Enforcing Agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioners submits that the petitioners did 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 that the investigation is pending. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, this Court 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 District Munsiff cum Judicial Magistrate, Pallipet on condition that the petitioner shall execute a 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 petitioner 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/-

22/09/2021

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 DISTRICT MUNSIFF CUM
JUDICIAL MAGISTRATE, PALLIPET.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
PALLIPET POLICE STATION,
THIRUVALLUR DISTRICT.

+1 CC to M/S. C.CHOKKALINGAM Advocate on payment of necessary
charges SR.NO.10486

CRL OP.16869/2021

Date :22/09/2021

RW 05/10/2021