



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the First day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20484 of 2021

1 EDMON
2 KAMESH

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
T-14, MANGADU POLICE STATION,
(CRIME NO.854/2021)

[RESPONDENT]

For Petitioner : M/S R.THIRUMOORTHY 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, 506(ii) of IPC, in Crime No.854 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein working as a cable operator under the first petitioner, who influenced him to reside in the house of the second petitioner as a tenant. Subsequently, the defacto complainant vacated his own house and shifted to the second petitioner's house as a tenant. Thereafter, the defacto complainant was not able to give rent, he had decided to vacate his house and decided to shift to his own house and the same was prevented by the petitioners. Due to which, the petitioners abused and attacked the defacto complainant with Aruval. Thereby the defacto complainant sustained severe injuries. Based on the complaint lodged by the defacto complainant, the respondent police registered a case.

3.The learned counsel appearing for the petitioners submits that the petitioners did not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the petitioners permitted the defacto



complainant to vacate the house. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that the dispute has been solved by the petitioners. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the change of circumstances of the case, 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 **Judicial Magistrate - Sriperumputhur Court** on condition that the petitioners 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 appear 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/-

01/11/2021

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

TRUE COPY



1 THE JUDICIAL MAGISTRATE,
SRIPERUMBUDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
T-14, MANGADU POLICE STATION,
THIRUVALLUR DISTRICT.

+1 CC to M/S R.THIRUMOORTHY Advocate on payment of necessary
charges SR.NO.12298

CRL OP.20484/2021

Date :01/11/2021

TA-19/11/2021