



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18780 of 2021

1 MANIKANDAN [PETITIONERS / ACCUSED]
2 SAMUTHIRAM
3 MANIKARAJ
4 BABU @ SATHISH
5 KATHAPERUMAL
6 JEEVA
7 AKASH
8 CHINNAPPAN

Vs

STATE REP.BY ITS [RESPONDENT]
THE INSPECTOR OF POLICE,
IRUMBULIKURICHI POLICE STATION,
ARIYALUR DISTRICT.
CR.NO.220 OF 2021.

For Petitioner : M/S.J.JAWAHAR Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Cr1. Side)

For Intervener : M/S.GOWTHAMAN, Advocate

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 offences Under Sections 147, 148, 341, 294(b), 324, 506(ii), 307 of IPC r/w 3 of TNPPDL Act, in Crime No.220 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity the petitioners joined together and attacked the defacto complainant with deadly weapons and also damaged the car worth about Two Lakhs Rupees. It is further alleged that the petitioners abused the defacto complainant's wife with filthy language. Hence the complaint was registered by the Law Enforcing Agency.



3. The learned counsel appearing for the petitioner submits that the defacto complainant's son had driven the two wheeler in a drunken mode and thereby fell down in the nearby bus stop. It seems that the petitioners not rescued the defacto complainant's son. Thereafter the defacto complainant son tried to attack the petitioners. He further submits that case in counter was registered against the defacto complainant's son under sections 294(b), 355, 506 (ii), in Crime No.219 of 2021. Hence he prays for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) submits that the injured persons discharged from the Hospital. However, he vehemently opposed grant of anticipatory bail to the petitioners.

5. Considering the fact and circumstances of the case and also considering that the injured person discharged from the hospital, 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 **District Munsif Cum Judicial Magistrate Senthurai, Ariyalur District** 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 shall affix his 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/-
07/10/2021

WEB COPY

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 MUNSIF CUM
JUDICIAL MAGISTRATE, SENTHURAI,
ARIYALUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
IRUMBULIKURICHI POLICE STATION,
ARIYALUR DISTRICT.

+1 CC to M/S.J.JAWAHAR Advocate on payment of necessary charges
SR.NO.11168

CRL OP.18780/2021

Date :07/10/2021

TA-25/10/2021