



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Twenty Eighth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19315 & 19016 of 2021

JAYAKUMAR

[ PETITIONER / ACCUSED  
IN CRL.O.P.NO.19315/2021]

RAJA @ PARANTHAMAN

[ RESPONDENT/COMPLAINANT  
IN CRL.O.P.NO.19016/2021]

Vs

THE STATE REP BY  
THE INSPECTOR OF POLICE,  
KALASAPAKKAM POLICE STATION,  
THIRUVANNAMALAI DISTRICT  
CR NO.1101/2020

[ RESPONDENT  
IN BOTH THE PETITIONS]

For Petitioner : M/S.S.B.VISWANATHAN Advocate

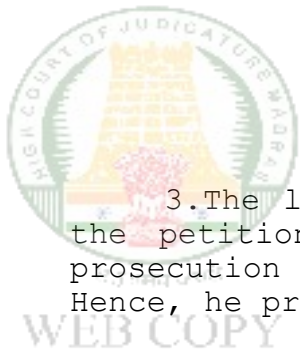
For Respondent : M/S. C.E.PRATAP, Govt. Advocate ( Crl. Side)

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 147, 148, 294(b), 323, 324, 506(2) and 307 of IPC in Crime No.1101 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between the petitioners and the defacto complainant/village president with regard to local body election and further alleged that the petitioners have illegally transported river sand. On 23.05.2020, when the defacto complainant and her husband and their village people have gathered together for preventing sand theft, the petitioners have abused the defacto complainant with filthy language, brutally attacked her husband, threatened them with dire consequences and also caused injuries to her husband and attempted to kill them. 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 Public Prosecutor (Pondicherry) submits that the injured has been discharged from the hospital. He further submits that there are three previous cases pending against the petitioners.

5. Considering the fact that the injured has been 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 Judicial Magistrate's Court No.1, Thiruvannamalai District 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/-

28/10/2021

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.1, TIRUVANNAMALAI

2 THE DISTRICT MUNSIF CUM  
JUDICIAL MAGISTRATE, TIRUVANNAMALAI

3 THE CHIEF JUDICIAL MAGISTRATE  
TIRUVANNAMALAI [FOR INFORMATION]

4 THE INSPECTOR OF POLICE,  
KALASAPAKKAM POLICE STATION,  
THIRUVANNAMALAI DISTRICT

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.S.B.VISWANATHAN Advocate on payment of necessary charges SR.No.12029

+1 CC to M/S.E.SATHIYARAJ Advocate on payment of necessary charges SR.No. 12021

CRL OP.NOS.19315 & 19016/2021

Date :28/10/2021

APN 12/11/2021