



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice SATHI KUMAR SUKUMARA KURUP

CRIMINAL ORIGINAL PETITION No.19416 of 2021

1 PERUMAL V
2 RAGURAMAN P

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
B7, VIKRAVANDI POLICE STATION,
VILLUPURAM.
(CRIME NO.558/2021)

[RESPONDENT]

For Petitioner : M/S.K.SAKTHIVEL Advocate

For Respondent : MR.L.BASKARAN, 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 punishable u/s.294(B), 323, 324 and 506(ii) of IPC in Crime No.558 of 2021 seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute, the petitioners have trespassed into the house of the defacto complainant and assaulted the father of the defacto complainant with a wooden stick, due to which, the victim got injured on his head and admitted at Mundiambakkam Government Hospital. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit 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) appearing for the respondent would submit that due to civil dispute, the petitioners have assaulted the father of the defacto complainant with the wooden stick, thereby causing head injury to him. He would further submit that the victim was admitted in the hospital and got eight sutures on his head. He would further submit that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also 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, Vikravandi, Villupuram District on condition that the petitioners shall execute a bond 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 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/-
12/10/2021

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,
VIKRAVANDI, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
B7, VIKRAVANDI POLICE STATION,
VILLUPURAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.19416/2021

Date :12/10/2021

CSK 20/10/2021