



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Second day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19730,19844,19987 of 2021

1 K.KUMARAVEL	[PETITIONERS / ACCUSED
2 K.SARAVANAN	IN CRL.OP.NO.19730/2021]
3 M.JANAKIRAMAN	
4 A.PRASANTH	
5 M.ASHOK	
6 M.ARUNAGIRI	
7 R.KUMAR	

M.ARUNAGIRI	[PETITIONER/ACCUSED
	IN CRL.OP.19844/2021]

1.M.BOOMINATHAN	[PETITIONERS/ACCUSED
2.MANOJKUMAR	IN CRL.OP.19987/2021]

Vs

STATE REP BY	[RESPONDENT]
THE INSPECTOR OF POLICE,	[IN ALL THE PETITIONS]
G7, ACHIRUPAKKAM POLICE STATION,	
CHENGALPET DISTRICT	
(CRIME NO.463/2021)	

For Petitioner : M/S.L.N.PRAGASAM Advocate
[IN CRL.OP.NO.19730/2021]

For Petitioner : M/S.K.THIRUMALAI Advocate
[IN CRL.OP.NO.19844/2021]

For Petitioner : M/S.R.SREERANGAN Advocate
[IN CRL.OP.NO.19987/2021]

For Respondent : M/S. C.E.PRATAP, Govt. Advocate (Crl. Side)
[IN ALL THE PETITIONS]

For Intervenor : M/S. K.GOVIGANESAN Advocate
[IN CRL.OP.NO.19844/2021]



PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

WEB COPY

The petitioners in the above CrI.O.P.No.'s, who apprehend arrest for the alleged offence under Sections 147, 148, 294(b), 341, 323, 324, 427 and 307 of IPC in Cr.No.463 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution in CrI.O.P.No.'s is that due to previous election dispute between the petitioners and the defacto complainants, there arose scuffle in which they attacked each other. Thereby, the law enforcing agency registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution. He further submits that in the said attack, both parties sustained injuries and were admitted in the hospital and subsequently discharged from the hospital. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (CrI.side) submits that the injured persons have been discharged from the hospital.

5. Learned counsel appearing for the Intervenor submits that one of the injured person was initially admitted in the General Hospital and thereafter, he was shifted to MIOT hospital and till date, he is taking treatment in the hospital and further another one injured person was admitted in the Madhuranthagam Hospital and furthermore submits that the one of the accused person is a history sheeter. Hence, she vehemently opposed for grant of anticipatory bail to the petitioners.

5.Considering the fact that many of the injured persons have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners in the above CrI.O.P.No.'s and in order to avoid further conflict in the locality, the petitioners are directed to sign before the Madipakam Police Station.

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, Maduranthakam, Chengalpet 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 are directed to appear and sign before the Madipakam Police Station daily at 10.30.a.m until further orders;

(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/-

02/11/2021

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,
MADHURANTHAKAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
G7, ACHIRUPAKKAM POLICE STATION,
CHENGALPET DISTRICT



+1 CC to M/S.R.SREERANGAN Advocate on payment of necessary charges SR.No.12449.

Date : 02/11/2021

<https://hcservices.ecourts.gov.in/hcservices/>