

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2021

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P.No.20808 of 2020

1.Ranjith @ Ranjithkumar
2.Venkatesh
3.Rajagopal

... Petitioners/ Accused

-Vs-

The State represented by
The Inspector of Police,
Kottur Police Station,
Coimbatore District.
(Crime No.523 of 2020)

... Respondent/Complainant

Prayer: Criminal Original petition filed under Section 438 of Code of Criminal Procedure praying to enlarge the petitioners on bail in the event of their arrest by the respondent police concerned in Crime No.523 of 2020, on the file of the respondent on such terms and conditions.

For Petitioners : Mr.M.N.Balakrishnan

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

(The case has been heard through video conference)

The petitioners, who apprehend arrest for the alleged offences under Sections 294(b), 323, 324, and 506(ii) of IPC r/w Section 4 of TNPHW Act, 2002, in Crime No.523 of 2020 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that totally there are four accused in this case. The petitioners are ranked as A1, A3 and A4. Due to family dispute, there was a wordy quarrel between the petitioners and the defacto complainant, pursuant to which, the petitioners abused with filthy language and also assaulted the defacto complainant and his sister and thereby the defacto complainant and also her sister sustained injuries. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and no way connected with this crime and they have been falsely implicated in this case. He would further submit that the A2 was already granted bail. Hence, he prays for anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the petitioners have assaulted the defacto complainant and her sister, due to which, the defacto complainant and her sister sustained injuries. Therefore, he opposed to grant anticipatory bail to the petitioners.

5.Taking into consideration of the facts and circumstances and the submissions made by the learned counsels and the fact that A2 has been granted bail by this Court, this Court is inclined to grant bail to the petitioners subject to the following conditions:

[a] 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 on which the order copy made ready, before the learned Judicial Magistrate-I, Pollachi, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties 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, failing which this petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[c] 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.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

08/01/2021

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.I, POLLACHI

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 INSPECTOR OF POLICE,
KOTTUR POLICE STATION,
COIMBATORE.

CC to M/S M.N.BALAKRISHNAN Advocate on payment of necessary charges Sr.371

CRL OP.20808/2020

Date :08/01/2021

RVR 21/01/2021

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