



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Twenty Ninth day of October Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20466 of 2021

1 ARUMUGAM
2 A.KUMARESAN
3 MASIAAMMAL

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
TIRUCHENGODE RURAL POLICE STATION,
TIRUCHENGODE,
NAMAKKAL DISTRICT.
CR.NO. NOT KNOWN OF 2021.

[RESPONDENT / COMPLAINANT]

For Petitioner : M/S.M.SENTHILKUMAR Advocate

For Respondent : MR. 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 at the hands of the respondent police for the alleged offence under Sections 294(b), 323 and 506(ii) IPC, in Cr.No.not known of 2021, seek anticipatory bail.

2.The case of the prosecution is that on 24.10.2021, the defacto complainant has given a complaint before the respondent police stating that the petitioners waylaid him and attacked him by using filthy language and thereby, the complainant has sustained injury.

3.The learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution and they are falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that the case has been registered in Cr.NO.496/2021 and now the injured person has been discharged from the hospital.



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, Tiruchengode, Namakkal 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 police 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/-

29/10/2021

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,
TIRUCHENGODE, NAMAKKAL DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,
NAMAKKAL DISTRICT (FOR INFORMATION) .

3 THE INSPECTOR OF POLICE,
TIRUCHENGODE RURAL POLICE STATION,
TIRUCHENGODE,
NAMAKKAL DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.M.SENTHILKUMAR Advocate on payment of necessary
charges SR.NO.12353

CRL OP.20466/2021

Date :29/10/2021

INBA-10/11/2021