



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eleventh day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.20699 of 2021

1 S.PALANISAMY

[PETITIONERS / ACCUSED]

2 T.MOHANRAJ

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
AVINASHIPALAYAM POLICE STATION,
TIRUPPUR DISTRICT.
CRIME NO.708/2021

For Petitioner : M/S G.SARAVANAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 148, 448, 294(b) and 506(ii) of the IPC, in Crime No.708 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the 1st petitioner is the President of Jallikattu Welfare Sangam. On the instigation of the 1st petitioner, the 2nd petitioner along with others, trespassed into the land of the defacto complainant and attempted to put huts and when the same was questioned by the defacto complainant, they abused the defacto complainant with filthy language and threatened him with dire consequences and also attempted to attack him by stick. 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 a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate appearing for the respondent police raised formal objection and submitted that there is no previous case against the petitioners and no one was injured in the said incident.

5. Considering the fact that there is no previous case against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Palladam, Tiruppur District, on condition that the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand Only) 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 appear before the respondent police on every Friday 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.

WEB COPY

-sd/-
11/11/2021

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,
PALLADAM, TIRUPPUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
AVINASHIPALAYAM POLICE STATION,
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S G.SARAVANAN Advocate on payment of necessary charges

CRL OP.20699/2021

Date :11/11/2021

APN 17/11/2021