



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20587 of 2021

1 EZHILARASAN [PETITIONERS / ACCUSED]
2 SEKAR
3 RAJADURAI
4 HARI @ HARIKRISHNAN

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
OLAKKUR POLICE STATION,
VILLUPURAM DISTRICT.
(CRIME NO.471/2021)

For Petitioner : M/S N.SARAVANAN 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 for the alleged offences under Sections 147, 148, 294(b), 341, 353, 109 of IPC and 3(1), 5 of TN Public Property (PRVNT.OF DAMAGE & LOSS) ACT, 1992 in Crime No.471 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the local body election was conducted, the petitioner candidate ward member one Sudha was not permitted to cast vote in Chairman Election due to which there arose a wordy quarrel between the parties and thereafter, the petitioners along with other persons conducted road roko opposite to the BDO Office on NH-45 Road. Hence, the law enforcing agency registered a case against the petitioners and other accused persons.

3. The learned counsel for the petitioners submitted that the petitioners are no way connected with the alleged offence and they have been falsely implicated in this case. He further submitted that the co-accused have already been enlarged on bail and they have already paid the entire damage amount to the concerned authority. Hence, he prays to grant anticipatory bail to the



4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioners conducted road roko and disturbed the public and one of the accused person damaged the windshield of the Government bus. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and since the main accused persons have already paid the damage amount and have already been released on bail and no one sustained injuries, 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 No.I, Tindivanam, 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 Magistrate 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.

WEB COPY

-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,
NO.I, TINDIVANAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
OLAKKUR POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S N.SARAVANAN Advocate on payment of necessary
charges SR.NO.12155

CRL OP.20587/2021

Date :29/10/2021

CSK 12/11/2021