



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 NoS.20778 & 20798 of 2021

R.VARADHARAJAN @ ARUL

[PETITIONER / ACCUSED
IN CRL.O.P.No.20778 of 2021]

1 V.RAMALINGAM
2 B.TAMILARASAN
3 S.KALAISELVAN

[PETITIONERS / ACCUSED
IN CRL.O.P.No.20798 of 2021]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
PORAYAR POLICE STATION,
MAYILADUTHURAI DISTRICT
(CRIME NO.733/2021)

[RESPONDENT IN BOTH THE PETITIONS]

For Petitioner : M/S R.KUYILAN Advocate
[IN BOTH THE PETITIONS]

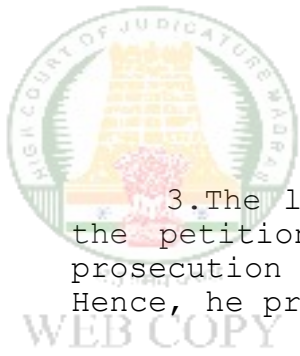
For Respondent : MR.N.S.SUGANTHAN, Counsel for Government Advocate,
(Crl.Side)
[IN BOTH THE PETITIONS]

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 offence under Sections 294(b), 427, 447 & 506 (ii) of IPC in Cr.No.733 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is due a civil dispute, a wordy quarrel arose between the parties and the petitioners are alleged to have assaulted the defacto complainant. Hence, the complaint.



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

4.Mr.N.S.Suganthan, learned Government Advocate appearing for the respondent submits that there is no previous case pending against the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on anticipatory 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 Cum District Munsif Court, Tharangambadi 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. for a period of four weeks and thereafter, as and when required for interrogation;

(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 anticipatory 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
CUM DISTRICT MUNSIF COURT, THARANGAMBADI.

2 THE JUDICIAL MAGISTRATE,
THARANGAMBADI.

3 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM DISTRICT. [FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
PORAYAR POLICE STATION,
MAYILADUTHURAI DISTRICT

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S R.KUYILAN Advocate on payment of necessary charges
SR.NOs.12697 & 12698

CRL OP.Nos.20778 & 20798 of 2021

Date :11/11/2021

RW 16/11/2021