



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.21187 of 2021

JAYANTHI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VANDAVASI NORTH POLICE STATION,
TIRUVANNAMALAI DISTRICT.
CR.NO. 438 OF 2021.

[RESPONDENT]

For Petitioner : M/S. V.R.APPASWAMEE Advocate

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

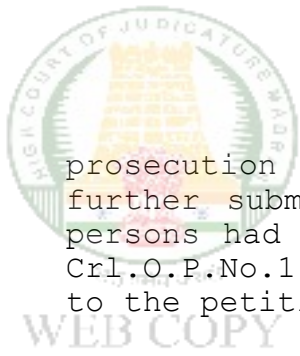
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest for the alleged offence under Sections 147, 294(b), 323, 506(i) of IPC in Cr.No.438 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a dispute between the petitioner and the defacto complainant with regard to the utilization of the land due to which there was an altercation between them which resulted in the registration of the FIR.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the



prosecution and he has been falsely implicated in this case. He further submits that there is a case in counter and the co-accused persons had granted anticipatory bail by this Court on 26.10.2021 in CrI.O.P.No.19816 of 2021. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate submits that it is purely a civil dispute between the parties. He further submitted that no one sustained injuries.

5. Considering the facts and circumstances of the case that it is a civil dispute between the parties and since no one sustained injuries, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vandavasi, on condition that the petitioner shall execute a bond 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 petitioner 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 petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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,
VANDAVASI, TIRUVANNAMALAI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VANDAVASI NORTH POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. V.R.APPASWAMEE Advocate on payment of necessary charges SR.No.12766

CRL OP.21187/2021

Date :11/11/2021

APN 16/11/2021