



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.11.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.21400 of 2021

1. Alexander ... Petitioners
2. Paskuraj
3. Victor @ Victorjulianraj
4. V.M.A.Arokkiyadoss
5. Edment @ Edmund Arockiyadoss
6. V.S.Asirvadham
7. Justin @ Jestin
8. Chinnadurai @ Amaladass
9. Seemon
10. Martin @ Martin Selvaraj
11. Isayath @ Isaiyas
12. David @ Davidraj
13. Sumas @ Subash
14. Vincent @ Wilson Sagayaraj
15. Chinnakannu @ John britto

Versus

State Rep by ... Respondent
The Inspector of Police
Elavanasurkottai Police Station,
Kallakurichi District.
(Crime No.400 of 2021)

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioners on bail in the event of their arrest in Crime No.400 of 2021 pending investigation on the file of the respondent police.

For Petitioners : Mr.S.Saravanakumar

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under section 147, 148, 341, 294(b), 323, 427, 506(ii) and 307 of IPC, in Crime No.400 of 2021 seeks anticipatory bail.



2.The case of the prosecution is that there was a dispute between the petitioners and the defacto complainant with regard to the local body election, due to which they attacked each other in which the defacto complainant sustained injuries. Based on the complaint lodged by the defacto complainant, the case was registered against the petitioners.

3.The learned counsel appearing for the petitioners submits that the petitioners are no way connected with the occurrence as alleged by the prosecution and they been falsely implicated in this case. He further submits that there is a case in counter registered against the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that a case in counter was registered against the defacto complainant. He further submits that injured treated as Out patient and discharged from the hospital. However, he opposed grant of anticipatory bail to the petitioners.

5. Considering the above facts and also considering that the injured treated as Out-patient and 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 No.I, Ulundurpet** on condition that the petitioners 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 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 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 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/-
15/11/2021

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,
NO.I, ULUNDURPET, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ELAVANASURKOTTAI POLICE STATION,
KALLAKURICHI DISTRICT.

+1 CC to M/S S. SARAVANAKUMAR Advocate on payment of necessary charges SR.NO.12769

CRL OP.21400/2021

Date :15/11/2021

TA-19/11/2021