



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.21841 of 2021

1. Moorthy @ Ramamoorthy
2. Vasantha
3. Mathu
4. Vijiya
5. Gowthaman @ Gowtham
6. Ragu @ Raguvaran
7. Jeevandhas
8. Govindharaj @ Govindarasu
9. Pavithra
10. Devika

... Petitioners

Vs.

The State Rep. by
The Inspector of Police,
Mecheri Police Station,
Salem District.
(Crime No.599 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 438 of Cr.P.C praying to enlarge the petitioners on bail in the event of arrest in Crime No.599 of 2021 on the file of respondent.

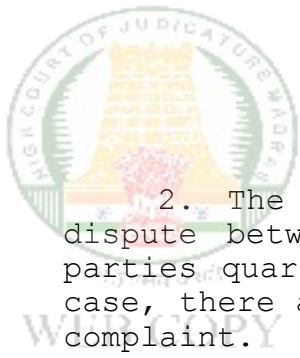
For petitioner : Mr.C.Deepak Kumar

For Respondent : Mr.N.S.Suganthan
Government Advocate

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, 294(b), 323, 324 and 506(II) of IPC alter into under Sections 147, 148, 294(b), 323, 324 and 506(II) r/w 307 of IPC, in Crime No.599 of 2021 on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that there was a pathway dispute between the parties due to a family dispute and both the parties quarreled with each other and attacked each other. In this case, there are totally ten accused persons in this case. Hence, the complaint.

3. The learned Counsel for the petitioners submitted that it was a case in counter based on the complaint given by these petitioners. Hence, he prays to anticipatory bail to the petitioners.

4. The learned Government Advocate submitted that the victim has been discharged and there are no previous cases against these petitioners.

5. Taking into consideration, the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Mettur, and on further conditions that:-

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police every Tuesday 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 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.

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-sd/-

19/11/2021

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.II, METTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MECHERI POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.C.DEEPAK KUMAR Advocate on payment of necessary charges

CRL OP.21841/2021

Date :19/11/2021

RW 23/11/2021