



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2021

CORAM:

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

Cr1.O.P.No.22314 of 2021

1.AVS.Shanmugam @ Shanmugam
2.Anandakumar

... Petitioners

Vs.

State Represented by
The Inspector of Police,
Veppanappalli Police Station,
Krishnagiri District.
(Crime No.210 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 on their arrest in Crime No.210 of 2021, pending investigation on the file of the respondent police.

For petitioners : Mr.M.P.Saravanan

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 offence punishable under Sections 147, 342, 506(i), 380 of IPC, in Crime No.210 of 2021, seek anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that the petitioners along with 30 persons have entered into the defacto complainant's company and taken the mango pulp and other materials. Hence, this complaint.

4.The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offences as alleged by the prosecution. Hence, he prays for grant of anticipatory bail.



5. The learned Government Advocate would submit that no one injured in the alleged occurrence.

6. Taking into consideration the facts of the case and submissions made by the learned counsel for both sides and taking note of the fact that there is no injury, there is business transaction like civil nature, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions.

7. 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. II, Krishnagiri, 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police every Wednesday 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 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].



[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-

25/11/2021

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, KRISHNAGIRI

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

3 THE INSPECTOR OF POLICE,
VEPPANAPPALLI POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S M.P.SARAVANAN Advocate on payment of necessary charges SR.NO.13504

CRL OP.22314/2021

Date :25/11/2021

RW 26/11/2021