



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.23832 of 2021

WEB COPY

1.Nal. Santhappan Udaiyar
2.C.Sellavel Udaiyar
3.S.Sivasakthi Udaiyar

... Petitioners

Versus

State represented by
The Inspector of Police,
Vridhachalam Police Station,
Vridhachalam, Cuddalore District.
(Crime No. not known of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to grant anticipatory bail to the petitioners in the event of arrest in unknown crime number pending on the file of the respondent police, The Inspector of Police, Vridhachalam Police Station, Cuddalore District.

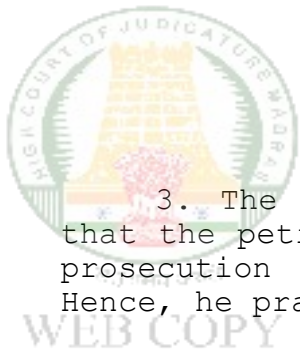
For Petitioners: Mr.M.Ramanathan

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

O R D E R

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 323, 506(ii) of IPC in Crime No. not known of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners were involved in the wordy quarrel with the defacto complainant in the case and he has given the false complaint against the petitioner that the petitioner were involved in the wrongful restraint and abusive words on 30.11.2021. Hence, the complaint.



3. The learned counsel appearing for the petitioners submitted 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 for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that due to wordy quarrel and investigation almost completed. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Vridhachalam, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate 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 as and when requires 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/-

10/12/2021

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,
VRIDHACHALAM, CUDDALORE DISTRICT.

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

3 THE INSPECTOR OF POLICE,
VRIDHACHALAM POLICE STATION,
VRIDHACHALAM, CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.RAMANATHAN Advocate on payment of necessary charges SR.NO.14500

CRL OP.23832/2021

Date :10/12/2021

RW 15/12/2021