



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.24057 of 2021

1.Ramachandran

2.Sagadevan

... Petitioners

Versus

State by

The Inspector of Police,  
Mamallapuram Police Station,  
Chengalpattu District.

(Crime No.663 of 2019)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest by the respondent police, in pending Crime No.663 of 2019 on the file of the Inspector of Police, Mamallapuram Police Station, Chengalpattu District or on their appearance before the Court.

For Petitioners: Mr.G.Anbarasu

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 341, 353 and 506(I) of IPC in Crime No.663 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Head Constable of the Mamallapuram Police Station, while the defacto complainant is on his regular patrol duty on 06.12.2019 at that time the petitioners along with other accused restrained the defacto complainant, quarreled with him and had threatened him with dire consequences, thus deter him from doing his government duties. 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 the co-accused already released on bail. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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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 District Munsif cum Judicial Magistrate, Thirukkalukundram, 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 daily at 10.30 a.m., until further orders;

(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/-

13/12/2021

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 DISTRICT MUNSIF CUM  
JUDICIAL MAGISTRATE, THIRUKKALUKUNDRAM

2 THE CHIEF JUDICIAL MAGISTRATE  
CHENGALPATTU (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,  
MAMALLAPURAM POLICE STATION,  
CHENGALPATTU DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to Mr.G.Anbarasu Advocate on payment of necessary charges  
Sr.14587

CRL OP.24057/2021

Date :13/12/2021

RVR 15/12/2021