



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.24345 of 2021

M.Santhosam

... Petitioner

Versus

State represented by
The Inspector of Police,
C-1 Sriperumbudur Police Station,
Sriperumbudur,
Kancheepuram District.
(Crime No.1334 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on anticipatory bail in the event of arrest by respondent police in Crime No.1334 of 2021 on the file of the respondent police.

For Petitioner : Mr.T.R.Shanmugam

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 147, 188, 353, 270 of IPC r/w 51(b) DM Act in Crime No.1334 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on 24.11.2021 a brother of the petitioner was conducted a demonstration at Sriperumbudur with police permission against caste chauvinism of village president of Palnallur Village. There were the DSP, Inspector of Police 3 Nos SI, more than 20 police constables have witnessed the demonstration but police not allowed mike. No any problem has stood at Demonstration the demonstration was peacefully conducted. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner 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 A1 was already arrested and one previous case pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, one previous case pending against the petitioner, like nature but investigation almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the *learned Judicial Magistrate, Sriperumbudur, Kancheepuram District*, on condition that the petitioner 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 petitioner shall report before the respondent police on every Saturday at 10.30 a.m., until further orders;

(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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

14/12/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY



1 THE JUDICIAL MAGISTRATE,
SRIPERUMBUDUR, KANCHEEPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
C-1, SRIPERUMBUDUR POLICE STATION,
SRIPERUMBUDUR, KANCHEEPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. T.R. SHANMUGAM Advocate on payment of necessary
charges SR.NO.14666

CRL OP.24345/2021

Date :14/12/2021

CSK 17/12/2021