



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2021

CORAM:

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

CrI.O.P.No.24321 of 2021

WEB COPY

1. Praveenkumar
2. Prathapkumar

.. Petitioners

Vs.

State, represented by
The Inspector of Police,
Manalmedu Police Station,
Nagapattinam District.
(Crime No.421 of 2020)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioners on bail in the event of their arrest concerned in Crime No.421 of 2020 on the file of the The Inspector of Police, Manalmedu Police Station, Nagapattinam District.

For Petitioners : Mr.P.Chandra Sekar

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

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 448 and 506(ii) of IPC in Cr.No.421 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant regarding the defacto complainant's goat entered into the petitioners' property, due to which, the petitioners threatened him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners have not been committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that there was a quarrel with regard to the defacto complainant's goat entered into the petitioners' property. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl side) submits that investigation was almost completed.

5. Considering the submissions made by both counsel and also considering the fact that investigation was almost completed, this Court is inclined to grant anticipatory bail to the petitioners.

6.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, Mayiladuthurai on condition that each of the petitioners shall execute separate bonds 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 learned Magistrate concerned and on further condition that:

(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 on every Wednesday 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.

-sd/-

14/12/2021

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,
MAYILADUTHURAI

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
MANALMEDU POLICE STATION,
NAGAPATTINAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.P.CHANDRA SEKAR Advocate on payment of necessary
charges Sr.14759

CRL OP.24321/2021

Date :14/12/2021

RVR 03/01/2022