



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2021

WEB COPY

CORAM:

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

Crl.O.P.No.25023 of 2021

1. K.ArunRaj ... Petitioners
2. C.Kirubanathan
3. M.Sethupathy

Vs.

State Rep by ... Respondent
Inspector of Police
Nemili Police Station,
Ranipet District.
Crime No.386 of 2021

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioners on bail in the event of arrest in connection with Crime No.386 of 2021 on the file of the respondent police.

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 294(b), 323, 324 and 506(2) of IPC in Crime No.386 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the DJ party was conducted in the marriage reception, there was a wordy quarrel between the petitioners and the defacto complainant's son, due to which, the petitioners abused the defacto complainant's son and his friends in filthy language, assaulted them with wooden log and stone, threatened them with dire consequences and also caused injuries on them. Hence, the complaint.



3.The learned counsel appearing for the petitioner 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. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that the injured had taken treatment as outpatient. He further submits that investigation was almost completed.

5. Considering the submissions made by both counsel and also considering the fact that the injured had taken treatment as outpatient and 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, Arakkonam* on condition that 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 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 has been imposed and the petitioners are 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/-
21/12/2021

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,
ARAKKONAM, VELLORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
NEMILI POLICE STATION,
RANIPET DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.R.EZHILARASAN Advocate on payment of necessary charges SR.NO.15217

CRL OP.25023/2021

Date :21/12/2021

CSK 28/12/2021