



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.12.2021

CORAM:

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

Crl.O.P.No.25535 of 2021

Nesamani

... petitioner

Vs.

The State Rep. by
The Inspector of Police,
Paravakkottai Police Station,
Thiruvarur District.
(Crime No.690 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 438 of Cr.P.C praying to grant Anticipatory Bail to the petitioner in the event of their arrest or on his appearance before any court in connection with the case in Crime No.690 of 2021 pending investigation on the file of the respondent police.

For petitioner : Mr.Jawahar

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 324 and 506(ii) of IPC, in Crime No.690 of 2021, on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that the petitioner and other accused due to land dispute, the petitioner trespassed the defacto complainant's land and also threatened him with dire consequences. Hence, a case has been registered as against the petitioner by the respondent police.

3.The learned counsel for the petitioner would submit that the petitioner have not committed any offence as alleged by the prosecution. Accordingly, he prays for anticipatory bail to the petitioner .



4.The learned Government Advocate would submit that the investigation is almost completed.

5.Considering the facts and circumstances and considering the fact that there is no injury, this Court is inclined to grant bail to the petitioner .

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Mannargudi, Tiruvarur District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police every Wednesday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

[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/-

23/12/2021

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,
NO.II, MANNARGUDI, TIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVARUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
PARAVAKKOTTAI POLICE STATION,
THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.J.JAWAHAR Advocate on payment of necessary charges
SR.NO.15536

CRL OP.25535/2021

Date :23/12/2021

JPA 29/12/2021