



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.12.2021

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

CRL.O.P.No.25870 of 2021

1.Jothivel
2.Thangapillai
3.Gopalakrishnan
4.Raja
5.Arulmozhi
6.Kannagi
7.Tamilarasi
8.Amutha
9.Rathika
10.Rajkumari

... Petitioners

Versus

State Represented by
The Inspector of Police,
Andimadam Police Station
Ariyalur District
(Crime No.777 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of their arrest by the respondent police in the case pending investigation in Crime No.777 of 2021, on the file of respondent police.

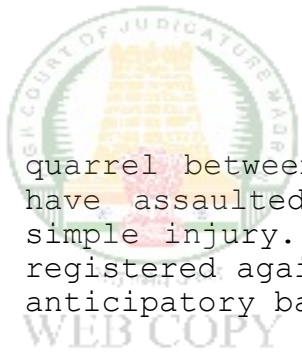
For Petitioners : M/s.R.Thamaraiselvan

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

The petitioners apprehend arrest at the hands of the respondent police for the alleged offences under Sections 143, 153, 506(ii) IPC, in Crime No.777 of 2021 on the file of respondent police and they have filed the present petition seeking for anticipatory bail.

2. The case of the prosecution is that in connection with temple land dispute prevails between two groups of people, there was a wordy



quarrel between them, as a result of which, the petitioners said to have assaulted the defacto complainant and others, thereby caused simple injury. In the said circumstances, the criminal case has been registered against them and now, apprehending arrest, they are seeking anticipatory bail.

3. The learned counsel appearing for petitioners would submit that on the date of occurrence, there was a wordy quarrel between the parties. He would submit that they are innocent persons, they are no way connected with the offence as alleged in the complaint and they have been falsely implicated in this case. Hence, they pray to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that even though there was a difference of opinion between two groups of persons with respect to temple worshipping dispute, the petitioners have conducted pongal in the temple, as a result of which, there was a wordy quarrel between them. He would submit that there is no previous case pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the fact that in connection with temple land dispute prevails between two groups of people, there was a wordy quarrel between them, as a result of which, the petitioners said to have assaulted the defacto complainant and others, thereby caused simple injury, the injured person discharged from the hospital and no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

6. Accordingly, the Criminal Original Petition is allowed. 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 Court, Jayankondam, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a]the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before respondent police daily at 10.30 a.m. for the period of three weeks.

[c]the petitioners shall not tamper with the evidence or witness either during investigation or trial.



[d] the petitioners shall not abscond either during investigation or trial.

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[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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

29/12/2021

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

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
JAYANKONDAM.

2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ANDIMADAM POLICE STATION,
ARIYALUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.R.THAMARAISELVAN Advocate on payment of necessary charges SR.No.15652

CRL OP.25870/2021

Date :29/12/2021

CSK 03/01/2022