



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11.11.2021

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CRL OP(MD) . No.17337 of 2021

1.Veeraputhiran
2.Chinna Veerapandi @ Chinna Veerapandian

... Petitioners/Accused
1 & 2

Vs.

State rep.by
The Inspector of Police,
V.K.Pudur Police Station,
Tenkasi District.
(Crime No.181/2021)

... Respondent/Complainant

For Petitioners : M/s.D.Venkatesh, Advocate

For Respondent : M/s.RMS.Sethuraman,
Additional Public Prosecutor

P ETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.181 of 2021 on the file of the respondent Police.

ORDER : The Court made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC in Crime No.181 of 2021 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that on 06.10.2021, at about 11.45 pm, when the defacto complainant was returning from electoral booth, the accused persons gathered together, attacked the defacto complainant and threatened him with dire consequences.



3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent police.

4. Since the first petitioner has four previous cases and the second petitioner has two previous cases, the earlier anticipatory bail application filed by them in CrI.OP(MD)No.15982 of 2021 was dismissed as against them on 12.10.2021. However, till date charge sheet was not filed in any of the previous cases. Further, except Section 506(ii) of IPC, other offences are bailable in nature. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tenkasi and on them executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each 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 cards or bank pass book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of thirty days;

(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/petitioners thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

Sd/-
11/11/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE,
TENKASI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
V.K.PUDUR POLICE STATION,
TENKASI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.17337 of 2021

Date :11/11/2021

SP/VR/SAR /16/11/2021/3P/5C