



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2022

CORAM

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THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.82 of 2022

1.Ravi
2.Govindaraj
3.Sekar @ Rajasekar
4.Venkatesan @ Venkadesh
5.Kumar

... Petitioners

Versus

The State represented by
The Inspector of Police,
Pallikonda Police Station,
Vellore District.
(Crime No.566 of 2012)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on anticipatory bail in Crime No.566 of 2012 on the file of the respondent police.

For Petitioners : Mr.M.Sathish Kumar

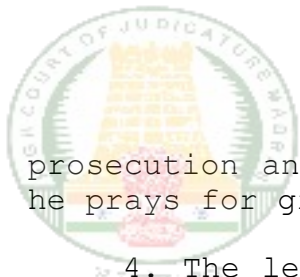
For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 392, 397 of IPC in Crime No.566 of 2012, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had preferred the complaint alleging that on 25.10.2012 while he was in his duty at Agaramcheri reserve forest along with Garden Security, 16 unidentified persons had trespassed into the forest and assaulted the defacto complainant and the garden security and they had illegally transported the Red Scandals in which the defacto complainant had sustained injuries and hospitalized. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners has not committed any offence as alleged by the



prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the offence in the year 2012, investigation almost completed. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the *learned Judicial Magistrate Court No.V at Vellore, Vellore District*, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate 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 monthly twice i.e., 1st and 15th day of every month at 10.30 a.m., until further orders;

(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.

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-sd/-
06/01/2022

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.V, VELLORE, VELLORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PALLIKONDA POLICE STATION,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.SATHISH KUMAR Advocate on payment of necessary charges SR.No.332

CRL OP.82/2022

Date :06/01/2022

CSK 11/01/2022