



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2022

CORAM:

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

Cr1.O.P.No.678 of 2022

1. Sathish Kumar
2. Gurumoorthy
3. Thangarajan
4. Rajesh
5. Palani
6. Pachaiyappan

...Petitioners

Versus

The State Represented by;
The Inspector of Police,
Thiruvalam Police Station,
Vellore District,
(Cr.No.606 of 2021)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioners on bail in their event of arrest in
Crime No.606 of 2021 on the file of the respondent police.

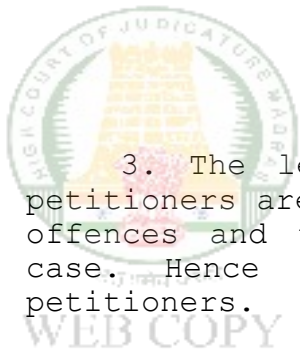
For Petitioners : Mr.S.Raja Ravi Varma

For Respondent : Mr.A. Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 323, 324 and 506(ii) of IPC and under Sections 147, 148, 294(b), 307, 323, 324 and 506(ii) of IPC, in Crime No. 606 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the first accused along with other accused persons had abused and assaulted the de-facto complainant, in which, the defacto complainant had sustained injuries and rushed to the hospital. Hence this complaint.



3. The learned counsel for the petitioner submitted that the petitioners are innocent persons and no way connected with the alleged offences and the petitioners have been falsely implicated in this case. Hence he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that a case in counter has been filed between the parties and no previous case was filed against the petitioners. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the submissions made by both counsels, 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 (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier before the learned Judicial Magistrate Court, Katpadi, 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 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 on every Saturday at 10.30 a.m. until further orders.

[c] the petitioners shall co-operate for the investigation;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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 themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

WEB COPY

-sd/-
12/01/2022

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,
KATPADI, VELLORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2CC to M/S.S.RAJA RAVI VARMA Advocate on payment of necessary charges SR.No.728

CRL OP.678/2022

Date :12/01/2022

CSK 25/01/2022