



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.620 of 2022

1.Thamilarasan
2.Murali
3.C.Sivakumar

...Petitioners

Versus

The State Represented by;
The Inspector of Police,
Omerabad Police Station,
Thirupattur District
(Cr.No.600 of 2021)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioners on bail in the event of arrest by the respondent police in the Crime No.600 of 2021 on the file of the respondent police.

For Petitioners : Mr.T.Dhasarathan

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, 341, 294(b), 307, 323, 324, 353, 332, 427 and 506(ii) IPC, in Crime No. 600 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner/Ganesh absconding accused and he has involved in Crime Nos.204 of 2019 and 678 of 2021 for the offences under Sections 419 and 420 IPC. When the police searched the first accused, the petitioner along with others have assaulted the police. Hence this complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and the have not committed any



offences as alleged by the prosecution and the have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there was some clash among the petitioners herein, general public and the police. He further submitted that investigation almost completed in this case and other co-accused has been released on bail. He opposed for grant of anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance before the learned Judicial Magistrate Court, Ambur and on their executing 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 learned Magistrate concerned and the petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed 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 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 weekly twice i.e., on every Tuesday and Sunday 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 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]; 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,
AMBUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
OMERABAD POLICE STATION,
THIRUPATTUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.T..DHASARATHAN Advocate on payment of necessary charges SR.No.746

CRL OP.620/2022

Date :12/01/2022

CSK 25/01/2022