



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2022

CORAM:

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

Crl.O.P.No.566 of 2022

1.Rameshkumar
2.Natarajan
3.Swamikannu
4.Selvendran
5.Karunanidhi
6.Balasubramanian
7.Sakthivel
8.Jothibas
9.Sivagurunathan

... Petitioners

Vs.

The State of Tamilnadu rep. by
The Inspector of Police,
Tiruvarur Police Station,
Tiruvarur District.
(Crime No.772 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioners on anticipatory bail in the event of their arrest in Crime No.772 of 2021 on the file of the respondent police.

For Petitioner : Mr.K.M.Subramanian

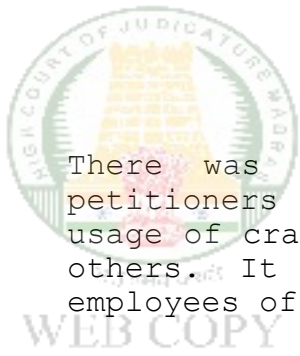
For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl.Side)

ORDER

(This case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 506(2), 323 and 324 of IPC, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were employed as coolie workers for more than 25 years in M/s.Narimaran Silicate and M/s.Diamond Silicate, situated in Velakudi Village.



There was some dispute with regard to the employment of the petitioners and other and now, the petitioners were unemployed due to usage of cranes instead of the work being done by the petitioners and others. It is alleged that the petitioners have assaulted two employees of the said concerns. Hence, the complaint.

3. The learned Counsel for the petitioners submits that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that investigation almost completed and there is no previous case pending against the petitioner. However, he opposed for grant of 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 the following condition.

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, Tiruvarur 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. for a period of four weeks and thereafter as and when required for an interrogation;

[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 has been imposed and the petitioners is 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;

-sd/-

12/01/2022

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,
TIRUVARUR.

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

3 THE INSPECTOR OF POLICE,
TIRUVARUR POLICE STATION,
TIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. K.M.SUBRAMANIAN Advocate on payment of necessary charges

CRL OP.566/2022

Date :12/01/2022

RW 21/01/2022