



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2022

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.1071 of 2022

1.B.Murugan
2.B.Kalidoss
3.Govindan (alias) C.S.Balakrishnan
4.Arun Pandian
5.K.Karuppuchamy

... Petitioners

Versus

The State represented by,
The Inspector of Police,
E2, Peelamedu Police Station,
Coimbatore City.
(Crime No.1268 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438-A of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest in Crime No.1268 of 2021 on the file of E2 Peelamedu Police Station, Coimbatore City.

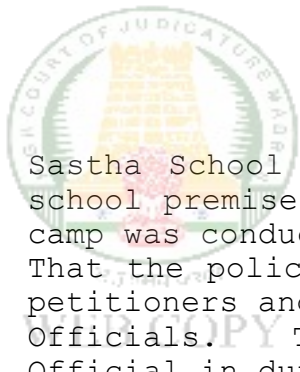
For Petitioners : Mr.U.M.Sankarvel Murugan

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 143 and 353 of IPC in Crime No.1268 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on 31.12.2021 the petitioners were inside Dharma Sastha School premises at Vilankunchi Road, Coimbatore attending the training program. It is respectfully submitted that about 12 members belonging to Communist Party at TPDK parties joint together and conducted a Dharna in front of Dharma



Sastha School demanding that the training camp conducted within the school premises should be stopped. It is pertinent to state that the camp was conducted and was being conducted during the school vacation. That the police wanted to question the organizer of the camp and the petitioners and organizer of the camp fully cooperated with the Police Officials. The petitioners are that they prevented the Police Official in duty to enter the school premises. Hence the complaint.

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

4. The learned Additional Public Prosecutor appearing for the respondent submitted that all the peoples were joint together inspite of the training raised by the respondent police, they also prevent the Police Officials, the alleged occurrence was said to be happened on 31.12.2021. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Accordingly, the petitioners are directed 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 No.II, Coimbatore, 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 stay at Rameshwaram and report before the Town Police Station on daily at 10.30 a.m. for the period of two weeks and thereafter as and when requires for 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 have been imposed and the petitioners released on anticipatory 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/-

21/01/2022

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.II, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
E2, PEELAMEDU POLICE STATION,
COIMBATORE CITY.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
TOWN POLICE STATION, RAMESHWARAM.

+1 CC to M/S.R.BABU MANOHAR Advocate on payment of necessary charges SR.NO.971

CRL OP.1071/2022

Date :21/01/2022

JPA 25/01/2022