



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2022

CORAM:

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

Crl.O.P.No.1061 of 2022

R.Munikrishnan

...Petitioner

Vs.

The State Represented by
The Inspector of Police,
Denkanikottai Police Station,
Krishnagiri.

... Respondent

(Crime No.510 of 2021)

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of their arrest by the respondent police concerned in crime No.510 of 2022, on the file of the respondent Police.

For Petitioner : Mr.A.Sakthivel

For Respondent : Mr.N.S.Sugunthan

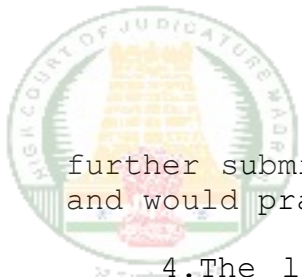
Government Advocate (Crl.side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 302 of IPC, in Crime No.510 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on 20.11.2021, there arose a wordy quarrel between the 1st accused and the deceased while participating in the chit which was held at Marchanchavadi near Iyyappan Temple. At that time, the 1st accused along along with other accused attacked the deceased due to which he suffered severe injuries and died on the spot. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against him. He would



further submit that the co-accused has been granted bail by this Court and would pray for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would raise objection stating that the 1st petitioner /A1 has been detained under Act 14 of 1982. He would further submit that the petitioner along with other accused actively involved in this offence but admits that the 2nd petitioner/A5 who is the helper of A1 had voluntarily surrendered before the Court and the investigation is almost completed and one of the co-accused has been granted bail by this Court and that there is no previous case against the petitioner.

5. Considering the facts and circumstances of the case and also the submissions made by both counsel and the investigation is almost completed and co-accused has been granted by this Court, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner 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 District Munsif cum Judicial Magistrate, Denkanikottai, on condition that the petitioner 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 petitioner 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 petitioner shall report before the respondent police every Monday and Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for an interrogation;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 petitioner in accordance with law as if the conditions has been imposed and the petitioner 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/-
02/02/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, DENKANIKOTTI,
KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
DENKANIKOTTAI POLICE STATION,
KRISHNAGIRI.

+1 CC to M/S.A.SAKTHIVEL Advocate on payment of necessary charges SR.NO.1955

CRL OP.1061/2022

Date :02/02/2022

TA-09/02/2022