



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.1005 of 2022

1. Sambath
2. Ajith kumar
(*) 3. Arulraj
4. A.Balu

... Petitioners

Versus

The State rep by
The Inspector of Police,
Thimiri Police Station,
Ranipet District.
(Crime No.07 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest by the respondent police in Crime No.07 of 2022 pending on the file of the respondent police.

For Petitioners : Mr.Suresh

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor
[Crl.O.P.No.1005/2022]

MR.L.Baskaran,
Govt. Advocate (Crl. Side)
[CrL.MP.No.1557/2022]

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 of IPC in Crime No.07 of 2022, on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that the petitioners had abused the defacto complainant in filthy language and assaulted him and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel, on instructions, would further submit that the petitioners, without prejudice to their rights, are ready to deposit the amount of Rs.10,000/- to the credit of the crime number. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that no one was sustained injuries and the investigation is almost completed. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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-I, Walajah, Ranipet District, on condition that the petitioners shall execute a separate 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 petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Cr.No.07 of 2022 before the learned Judicial Magistrate-1, Walajah, Ranipet District, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier. On such deposit being made, the defacto complainant is permitted to withdraw the above said amount, on proper identification and acknowledgment.

[b] 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.



[c] the petitioners are directed to appear before the respondent police on every Saturday at 10.30 a.m., until further orders. .

[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 have been imposed and the petitioners 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
20/01/2022

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.

**(*)AMENDED AS PER ORDER OF THIS COURT DATED 28/02/2022 MADE IN
CRL.MP.NO.1557 OF 2022 IN CRL.O.P.NO.1005 OF 2022**

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, WALAJAH, RANIPET DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
THIMIRI POLICE STATION,
RANIPET DISTRICT.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.SURESH Advocate on payment of necessary charges
SR.NO.3055

CRL OP.1005/2022

Date :20/01/2022

JPA 28/01/2022

JPA 08/03/2022