



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.1888 of 2022

WEB COPY

1.Ramu @ Ramanathan
2.V.Balaji

... Petitioners

Versus

State represented by
The Inspector of Police,
Arani Town - 632 301,
Thiruvannamalai District.
(Crime No.30 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 arrest pending investigation in Crime No.30 of 2022 pending on the file of the Inspector of Police, Arani Police Station, Thiruvannamalai District.

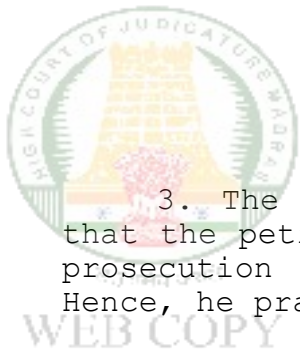
For Petitioners: Mr.M.Balaji

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

O R D E R

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 353, 506(i) of IPC, 1860 in Crime No.30 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 13.01.2022 the petitioners have threatened and criminal force to deter public servant from discharge of his duty of the defacto complainant. But the real fact is that they have questioned the shopkeeper of ration shop as they did not give quality products for Pongal Gift to the Public. The petitioner's family is in politics and due to political rivalry they are falsely implicated. This complainant had been filed as against this petitioners with the help and connivance of unscrupulous elements as an act of vengeance. 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 Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioners have threatened and criminal force to deter public servant from discharge of his duty of the defacto complainant. However, he vehemently opposed to grant 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 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, Arani, Thiruvannamalai District, 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 report before the respondent police on every Tuesday 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 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.

WEB COPY

-sd/-

28/01/2022

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,
ARANI, THIRUVANNAMALAI DISTRICT.

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

3 THE INSPECTOR OF POLICE,
ARANI TOWN-632 301,
THIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.BALAJI Advocate on payment of necessary charges
SR.NO.1354 & 1586

CRL OP.1888/2022

Date :28/01/2022

RW 01/02/2022