



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2022

CORAM:

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

Crl.O.P.No.1776 of 2022

1. R.Murugusankar
2. R.Vasudevan
3. V.Hari Krishnan

...Petitioners

Vs.

State rep by its
The Inspector of Police,
Voimedu Police Station,
Voimedu, Vedaranyam Taluk
Nagapattinam District.
(Crime No.20 of 2022)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioners on bail in the event of their arrest in Crime No.20 of 2022 on the file of the The Inspector of Police, Voimedu Police Station, Voimedu, Vedaranyam Taluk, Nagapattinam District..

For Petitioners : Mr.M.Senthil Kumar

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

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections Sections 294(b), 447, 427 and 506(i) of IPC in Cr.No.20 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 17.01.2022, the petitioners had removed the property foundries of the defacto complainant, the same was questioned by him, due to which, the petitioners abused the defacto complainant in filthy language, threatened him with dire consequences. Hence, the complaint.

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



4.The learned Additional Public Prosecutor on instructions submits that no one has sustained an injury. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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5. Considering the submissions made by both counsel and also considering the fact that no one has sustained an injury, this Court is inclined to grant anticipatory bail to the petitioners.

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 District Munsif-Cum-Judicial Magistrate-I, Vedaranyam, Nagapattinam District on condition that the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 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 Tuesday at 10.30 a.m., for a period of four weeks and thereafter as and when required 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 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/-

28/01/2022

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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 DISTRICT MUNSIF - CUM-JUDICIAL MAGISTRATE - I,
VEDARANYAM, NAGAPATTINAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,
NAGAPATTINAM DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
VOIMEDU POLICE STATION,
VOIMEDU, VEDARANYAM TALUK,
NAGAPATTINAM DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to R.MURUGA BHARATHI Advocate on payment of necessary charges SR.NO.1518

CRL OP.1776/2022

Date :28/01/2022

INBA~08/02/2022