



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2022

CORAM:

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

Crl.O.P.No.1875 of 2022

1.Manikandan ...Petitioners
2.Chinnannan
3.Lakshmanan
4.Manigandan

Vs.

State Rep. By ...Respondent
The Inspector of Police,
Poolampatti Police Station,
Salem District.
(Crime No.07 of 2022)

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 by the respondent police, pending investigation of the case in Crime No.07 of 2022 on the file of the respondent.

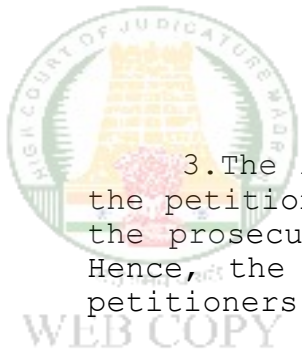
For Petitioners : Mr.M.Vijaya Ragavan

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

ORDER

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 323, 324, 332 and 506(ii) of IPC in Cr.No.7 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 11.01.2022, the defacto complainant worked as a clerk in PACB at Chitthur, at that time, the petitioners demanded pongal pack, scolded and abused him in filthy language. Hence, the complaint.



3.The learned counsel appearing for the petitioners submits that the petitioner 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 Government Advocate (crl.side) raised objection stating that due to wordy quarrel the petitioners abused the defacto complainant in filthy language. He further submitted that there was a case in counter.

5. Considering the submissions made by both counsel and also considering the fact that there is no previous case as against the petitioners, 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 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, Edapaddi**, 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 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/-
31/01/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, EDAPADI, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
POOLAMPATTI POLICE STATION,
SALEM DISTRICT.

+1 CC to M/S M.VIJAYA RAGAVAN Advocate on payment of necessary charges SR.NO.1591

CRL OP.1875/2022

Date :31/01/2022

TA-09/02/2022