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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2022

CORAM:

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

Cr1.O.P.No.2027 of 2022

1. Ramadass
2. Ramachandran
3. Rajiv Ganthi

...Petitioners

Vs.

The State Rep by
The Inspector of Police
Jayankondam Police Station,
Ariyalur District.
(Crime No.21 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.21 of 2022 on the file of the respondent police.

For Petitioners: M/s.V.Kaaviya

For Respondent : Mr.N.S.Suganthan,
Government Advocate (Cr1.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence
under Section 294(b), 323, 324 506(ii) of IPC in Crime No.21 of 2022
on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel
between the petitioners and the defacto complainant regarding to
withdraw the Civil Case which is pending and assaulted him with timber
wood stick on his head and also attacked him with iron pipe on his
left hand, threatened him with dire consequences, thereby the defacto
complainant suffered grievous injuries on his head and also sustained
fracture. 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.



However, on instructions, he submits that the petitioners are ready and willing to pay a sum of Rs.10,000/- to any Charitable purpose as may be directed by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

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4.The learned Government Advocate (Crl.Side) submits that the the investigation was almost completed.

5. Considering the fact that the investigation was almost completed and also the fact that the petitioners have willfully and on their own volition agreed to contribute a sum of Rs.10,000/- for charitable purpose, this Court is inclined to grant anticipatory bail to the petitioners.

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, Jayankondam, Ariyalur District on condition that the petitioners shall execute separate bonds 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 and on further condition that:

[a] the petitioners are directed to deposit a sum of Rs.10,000/- (Rupees Ten thousand only) to the Registered Advocate Clerks Association, Ariyalur, Ariyalur District within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and shall produce the said receipt before the Court below;

[b] 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;

[c] the petitioners shall report before the respondent police on everyday at 10.30p.m for a period of four weeks and thereafter as and when required for an interrogation;

[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 has been imposed and the petitioners are 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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

-sd/-

01/02/2022

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 JUDICIAL MAGISTRATE,
NO.I, JAYANKONDAM, ARIYALUR DISTRICT.

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

3 THE INSPECTOR OF POLICE,
JAYANKONDAM POLICE STATION,
ARIYALUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE REGISTERED ADVOCATE
CLERKS ASSOCIATION, ARIYALUR,
ARIYALUR DISTRICT.

+1 CC to M/S. A.R.SURESH Advocate on payment of necessary charges
SR.NO.1564

CRL OP.2027/2022

Date :01/02/2022

RW 10/02/2022