



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Ninth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL ORIGINAL PETITION No.3052 of 2022

1 R.RAMACHANDRAN
2 R.VIJI
3 R.VASANTHIYA
4 A.CHANDRASEKARAN

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE
VAZHAPADI POLICE STATION
SALEM DISTRICT
CRIME NO.47 OF 2022

[RESPONDENT]

For Petitioners : M/S.V.PANJALIRAJAN, Advocate

For Respondent : MR.S.S.SANTHOSH, Govt. Advocate (Crl. Side)

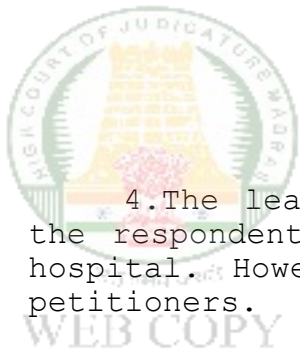
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under section 294(b), 323, 324, 506(ii) of IPC in Crime No.47 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was dispute over the ancestral property between the defacto complainant and the petitioners, due to which, the defacto complainant approached the district registrar to cancel the sale deed in favour of him, thereby, the petitioners picked quarrel with him and assaulted the defacto complainant. Hence the complaint was registered by the Law Enforcing Agency.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any such offences as alleged by the prosecution. He further submitted that they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.



4.The learned Government Advocate (Criminal Side) appearing for the respondent submits that the injured persons discharged from the hospital. However, he opposed grant of anticipatory bail to the petitioners.

5. Considering the fact that the injured person discharged from the hospital, 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 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, VI, Vazhapadi, Salem District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of fifteen days and thereafter as and when required for interrogation.

(b)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(c)the petitioner shall not abscond either during investigation or trial;

(d) On breach of the any aforesaid conditions, the anticipatory bail granted to the petitioner shall stand automatically cancelled and the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the Magistrate/Trial Court himself as laid down by the by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala[(2005)AIR SCW 5560];

-sd/-

09/02/2022

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.VI, VAZHAPADI, SALEM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION].

3 THE INSPECTOR OF POLICE
VAZHAPADI POLICE STATION
SALEM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to V.PANJALIRAJAN Advocate on payment of necessary charges
SR.NO.3426 [08/03/2022]

CRL OP.3052/2022

Date :09/02/2022

JPA 15/02/2022