



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Ninth day of February Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN
CRIMINAL ORIGINAL PETITION No.3094 of 2022

1 NANDAGOPAL [PETITIONERS / ACCUSED]
2 NANDAKUMAR@NANDHAN
3 RAMADASS
4 MEGALA
5 DEEPA
6 ANJALAI
7 SUMATHI

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ANAICUT POLICE STATION,
CHENGELPET DISTRICT.
CR.NO.14/2022.

For Petitioner : M/S.B.DEVAKUMAR Advocate

For Respondent : MR. 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 at the hands of the respondent police for the offence punishable under Sections 143, and 353 of IPC in Crime No.14 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that petitioners are villagers. It is alleged that petitioners have agitated for installing 11KV electric transformer in the place of occurrence. Hence, the Law Enforcing Agency registered a case against the petitioners.

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 to the petitioners.



4. The learned Government Advocate (Criminal Side) appearing for the respondent police raised objection stating that if the petitioners are released on bail they may try to tamper the witnesses and hamper investigation. However, he admits that as of now investigation is completed.

5. In view of the above submissions made by the learned counsel appearing for either side and also considering the fact that investigation is almost completed, custodial interrogation may not be necessary for completing the investigation, hence this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the District Munsif Cum Judicial Magistrate, Cheyyur on condition that the petitioner 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 and on further condition that:

(a) the petitioners and the sureties shall affix his 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 daily at 10.00 a.m., for the period of 15 days.

(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/-

09/02/2022

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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,
CHEYYUR.

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

3 THE INSPECTOR OF POLICE,
ANAICUT POLICE STATION,
CHENGELPET DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.B.DEVAKUMAR Advocate on payment of necessary charges
SR.NO.2166

CRL OP.3094/2022

Date :09/02/2022

INBA~16/02/2022