



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4908 of 2022

1 RADHAKRISHNAN  
2 VINOTH KUMAR  
3 GAYATHIRI  
4 KUMAR  
5 BHARATHI  
6 SILAMBARASAN  
7 KALAIMATHY  
8 MANIKANDAN  
9 RAMESH  
10 PAZHANI

[ PETITIONERS / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
NAGARASAMPATTI POLICE STATION,  
KRISHNAGIRI DISTRICT  
CRIME NO.25 OF 2022

[ RESPONDENT ]

For Petitioner : M/S. E.MACHAVATHARAN, Advocate

For Respondent : M/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 seek for anticipatory bail for the alleged offences punishable under Section 147, 148, 294(b), 323, 324, 354 and 506(2) of I.P.C.



2. From the First Information Report, due to some land disputes, on 17.02.2022 the petitioners herein have questioned the defacto complainant's action of taking possession of tea stall, which was under dispute. In the said occurrence, the defacto complainant had sustained head injury and he was admitted in the hospital and later discharged.

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

4. Considering the fact that due to previous enmity over land dispute, the occurrence had happened and the victim had also discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Pochampalli on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand Only) each, with two sureties, each for a like sum to the satisfaction of the Learned Magistrate, failing which the anticipatory bail shall stand canceled 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 stay at Salem and report before the Salem Town Police Station within seven days from the receipt of a copy of this order and continue to report daily at 10.30 a.m for a period of 30 days and thereafter as and when required for interrogation, except Accused 3, 5 and 7 being ladies. Accused 3, 5 and 7 are directed to appear before the Investigation Officer as and when required;

(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/-

01/03/2022

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 MUNIF CUM  
JUDICIAL MAGISTRATE, POCHAMPALLI,  
KRISHNAGIRI DISTRICT.

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

3 THE INSPECTOR OF POLICE,  
NAGARASAMPATTI POLICE STATION,  
KRISHNAGIRI DISTRICT.

4 THE OFFICER INCHARGE,  
SALEM TOWN POLICE STATION,  
SALEM.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S. E.KANNADASAN Advocate on payment of necessary charges SR.NO. 3121

CRL OP.4908/2022

Date :01/03/2022

RW 03/03/2022