



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Seventh day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5015 of 2022

1 N.SEKAR
2 R.DINESH
3 P.V.SELVAM,
4 S.AAISHABI
5 S.SABU,
6 R.BARATHI
7 N.KISHTAIYA
8 N.SAMPOORNAMMA
9 RENUGA
10 VIRARAGAVAN
11 P.NAGABUSHANAM

[PETITIONERS / ACCUSED]

Vs

THE STATE,
THE INSPECTOR OF POLICE,
ARAMBAKKAM POLICE STATION,
GUMMIDIPOONDI TALUK,
TIRUVALLUR
DISTRICT - 601 201.
CRIME NO.24 OF 2021

[RESPONDENT]

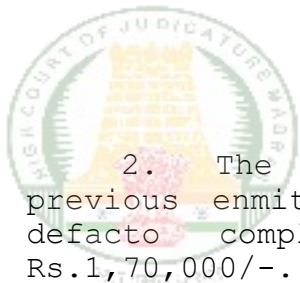
For Petitioners : M/S. R.MUNUSWAMY Advocate

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 147, 148, 427, 447, 506(i) and 109 of IPC r/w Section 3(1) of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.24 of 2021, on the file of the respondent police, seeks anticipatory bail.



2. The First Information Report indicates that the due to previous enmity, the petitioners trespassed into the land of the defacto complainant and damaged the property worth about Rs.1,70,000/-. Hence, the complaint.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent police.

4. Taking note of the above facts, this Court is inclined to grant anticipatory bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of ten days from the date of receipt of a copy of this order, before the District Munsif cum Judicial Magistrate Court, Gummidipoondi, on condition that each 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 learned Magistrate concerned, failing which the anticipatory bail shall stand cancelled and on further condition that:

(a) each of the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No. 24 of 2021, on the file of the respondent police and submit proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the receipt/acknowledgment shall accept the sureties furnished by the petitioner. The final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

(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 Investigating Officer, as and when required.

(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 have been imposed and the petitioner 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
07/03/2022

WEB COPY

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,
GUMMIDIPOONDI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ARAMBAKKAM POLICE STATION,
GUMMIDIPOONDI TALUK,
TIRUVALLUR DISTRICT - 601 201.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. R.MUNUSWAMY Advocate on payment of necessary charges SR.NO.3534

CRL OP.5015/2022

Date :07/03/2022

JPA 15/03/2022