



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Tenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5565 of 2022

1 AUGUSTIN

[PETITIONERS / ACCUSED]

2 PRABHU @ RAMAMOORTHY

3 ARUN @ ARUNKUMAR

4 VASANTH

Vs

THE STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE

THIRUVALLUR TALUK POLICE STATION,

THIRUVALLUR DISTRICT.

CRIME NO.78 OF 2022.

For Petitioners : M/S.D.VADIVEL 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 apprehend arrest by the respondent police for the offences punishable under Sections 147, 148, 447, 294(b) of IPC r/w Section 3 of TNPPDL Act, in Crime No.78 of 2022, are before this Court seeking anticipatory bail.

2. Heard the learned counsel appearing for the petitioners and learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of damage to the property belongs to the defacto complainant alleged to have been caused by the petitioners herein, due to previous enmity. In the complaint, the value of the damage caused has not been mentioned. However, it appears that the petitioners herein intimidated the defacto complainant and thrown abusive words after causing damages to his property.



4. Considering the nature of the offence alleged to have been committed by the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 XV Metropolitan Magistrate, George Town, Chennai, on condition that each of the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees fifty thousand only), with two sureties, each for a like sum to the satisfaction of the learned Magistrate, failing which, the anticipatory bail shall stand cancelled and on further condition that:

(a) each of the petitioners shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Crime No.78 of 2022 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 and when required for 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 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;



(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
10/03/2022

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 METROPOLITAN MAGISTRATE,
NO.XV, GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
THIRUVALLUR TALUK POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.D.VADIVEL Advocate on payment of necessary charges
SR.NO.3774

CRL OP.5565/2022

Date :10/03/2022

JPA 16/03/2022