



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.5646 of 2022

1 THOPPALAN
2 SOWBAKIYAM
3 KANTHAMANI

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ULUNDURPET POLICE STATION,
KALLAKURICHI DISTRICT.
CRIME NO.69 OF 2022.

[RESPONDENT]

For Petitioners : M/S.V.PARTHIBAN 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, 294(b), 323, 324, 506 (ii) and 307 of IPC, in Crime No.69 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. Due to land dispute, quarrel has been erupted on 07.02.2022, near the land of the defacto complainant and the petitioners herein have joint together and attacked the son of the defacto complainant with wooden log and knife, in which the defacto complainant's son sustained injury on his face and head and admitted in the hospital as in-patient and got discharged after three days.



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 Judicial Magistrate No.I, Ulundurpet, Kallakurichi, on condition that each of 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, failing which, the anticipatory bail shall stand cancelled 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 report before the Investigating Officer daily at 10.30 am., until further orders.

(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 abscond, a fresh FIR can be registered under Section 229-A IPC.

-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 JUDICIAL MAGISTRATE,
NO.I, ULUNDURPET, KALLAKURICHI.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ULUNDURPET POLICE STATION,
KALLAKURICHI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.V.PARTHIBAN Advocate on payment of necessary
charges SR.NO.3840

CRL OP.5646/2022

Date :10/03/2022

JPA 17/03/2022