



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

Thursday, the Twenty Fourth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6794 of 2022

1 SARAVANAN
2 AJITH KUMAR
3 BALAMURUGAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
PERIYAPALAYAM POLICE STATION
TIRUVALLUR DISTRICT.
(CR NO.291/2017)

[RESPONDENT]

For Petitioner : M/S.D.MAGESH 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, 294(b), 324, 506(ii) of IPC r/w 3 of TNPPDL Act r/w 34 of IPC in Crime No.291 of 2017 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that during temple festival, the petitioners dashed their vehicle with the defacto complainant's vehicle and there was a wordy altercation arose between them, due to which, the petitioners along with others attacked the defacto complainant and others and abused them in filthy language, threatened them with dire consequences and also damaged the defacto complainant's vehicle. Hence, the compliant.

3. The learned counsel for the petitioners has submitted that the petitioners herein arrayed as Accused Nos.4, 5 and 6 in PRC.No.4 of 2021 and they were not aware about the case registered against them, only they came to know that after receiving the Court summons. He further submits that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely



implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) has submitted that during temple festival, the petitioners along with others attacked three persons, out of them, two were sustained simple injuries and another one was taken treatment as out-patient and vehicle worth about Rs.80,000/- was damaged by the petitioners and other accused. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking note of the fact that the investigation has been completed and charge sheet has also been filed, this Court is inclined to grant anticipatory bail to the petitioners on condition that they shall deposit a sum of Rs.10,000/- (Rupees Ten thousand Only) each to the credit of PRC.No. No.4 of 2021 before the learned District Munsif-Cum-Judicial Magistrate, Uthukottai.

6. 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, Uthukottai on condition that the petitioners shall execute separate bonds 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 concerned and on further conditions that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) each to the credit of PRC.No. No.4 of 2021 before the learned District Munsif-Cum-Judicial Magistrate, Uthukottai;

(c) 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;

(d) the petitioners shall report before the Investigation Officer as and when required for interrogation.

(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioners shall not abscond either during investigation or trial;



(g) 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 are 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

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

-sd/-

24/03/2022

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 MUNSIF CUM
JUDICIAL MAGISTRATE, UTHUKOTTAI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
PERIYAPALAYAM POLICE STATION
TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.D.MAGESH Advocate on payment of necessary charges
Sr.4496

CRL OP.6794/2022

Date :24/03/2022

RVR 29/03/2022