



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirtieth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7392 of 2022

1 NAGARAJAN
2 VENNILA

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
THIRUKANNAPURAM POLICE STATION,
NAGAPATTINAM DISTRICT.
(CRIME NO.75 OF 2022)

[RESPONDENT]

For Petitioner : M/S.J.JAWAHAR 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, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 447, 294(b), 323, 324, 427 and 506(II) of IPC in Crime No.75 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The first petitioner is the junior paternal uncle of the de facto complainant. Due to property dispute, physical altercation between the petitioners family and the de facto complainant has occurred on 16.03.2022 in which de facto complainant has sustained head injury and admitted in the hospital as In-Patient and treated for 3 days.

3. On perusal of CD file reveals that, the petitioners also sustained simple injury in the fight.



4. Considering the facts and circumstances of the case, since the dispute is in respect of the property between the family members, 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 I Nagapattinam, on condition that each of the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 report before the investigating officer daily at 04.00 p.m., 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/-

30/03/2022

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.1, NAGAPATTINAM.

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

3 THE INSPECTOR OF POLICE,
THIRUKANNAPURAM POLICE STATION,
NAGAPATTINAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.J.JAWAHAR Advocate on payment of necessary charges
SR.NO. 4908

CRL OP.7392/2022

Date :30/03/2022

RW 04/04/2022