



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Thirty First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7397 of 2022

1 SARASU
2 DURAISAMY

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
MOHANUR POLICE STATION,
NAMAKKAL DISTRICT.
CRIME NO.77/2022.

[RESPONDENT]

For Petitioner : M/S.M.SENTHILKUMAR 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 apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 427 and 506 (i) of IPC in Crime No.77 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. On reading of the FIR indicates that there is dispute between the landlord and the tenant, leading to the wordy quarrel. The defacto complainant is the tenant and the petitioners are land lords.

3. Considering the nature of the crime, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

4. 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.II, Namakkal**, on condition that the petitioners shall execute separate bonds 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 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 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 for an 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 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

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

-sd/-
31/03/2022

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.



1 THE JUDICIAL MAGISTRATE,
NO.II, NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
MOHANUR POLICE STATION,
NAMAKKAL DISTRICT.

+1 CC to M/S.M.SENTHILKUMAR Advocate on payment of necessary
charges SR.NO.5059

CRL OP.7397/2022

Date :31/03/2022

TA-07/04/2022