



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.7406 of 2022

1 MUNIRAJ
2 GOWRAMMAL
3 RAJA
4 JAYAVEL

[PETITIONERS / ACCUSED]

Vs

STATE BY
THE INSPECTOR OF POLICE
VANIYAMBADI TALUK POLICE STATION,
THIRUPATHUR DISTRICT.
(CRIME NO.81 OF 2022)

[RESPONDENT]

For Petitioner : M/S.S.SASIKUMAR 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 alleged offences under Sections 294(b), 323 and 506(II) of IPC in Crime No.81 of 2022, on the file of the respondent police, seek anticipatory bail.

2. Due to previous enmity, physical altercation has occurred between the petitioners herein and the de facto complainant and his team. The petitioners have sought anticipatory bail. The alleged incident occurred on 23.03.2022.

3. The learned Government Advocate (Crl. Side) states that the case has been registered against the petitioners (1 &2) based on the complaint given by one Saravanan in Crime No.81 of 2022, wherein, the said de facto complainant has sustained lacerated injury over the occipital region of scalp and linear abrasion and back of his left arm and shoulder. The injury is simple in nature, the petitioners



(1&2) had also sustained injury and the counter case has been registered against the de facto complainant one Saravanan in Crime No.82 of 2022.

4. Considering the fact that as on date, there is no case against 3rd & 4th petitioners, petition for anticipatory bail is dismissed for 3rd & 4th petitioners. With regard to other petitioners, this Court is inclined to grant bail to 1st and 2nd petitioners.

5. Accordingly, the 1st & 2nd 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, Vaniyambadi, Thirupathur District, on condition that each of the petitioners (A-3 and A-4) 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 canceled and on further condition that:

(a) the 1st & 2nd 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 1st & 2nd petitioners shall report before the Investigating officer as and when required for interrogation;

(c) the 1st & 2nd petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the 1st & 2nd 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 (A-3 and A-4) 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.

WEB COPY

-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.

TO

1 THE JUDICIAL MAGISTRATE,
VANIYAMBADI, THIRUPATHUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VANIYAMBADI TALUK POLICE STATION,
THIRUPATHUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.SASIKUMAR Advocate on payment of necessary
charges SR.No.4922

CRL OP.7406/2022

Date :31/03/2022

CSK 08/04/2022