



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7437 of 2022

1 THANGARAJ

[PETITIONERS / ACCUSED]

2 PRIYANGA

3 MYTHILI

4 RAJA

5 KAVITHA

6 CHINNATHAYEE

Vs

THE STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
DEEVATTIPATTI POLICE STATION,
KADAYAMPATTI TALUK,
SALEM DISTRICT.
CRIME NO.104 OF 2022

For Petitioners : M/S.M.ELANGO 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 offence punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC in Crime No.104 of 2022, on the file of the respondent police, seek anticipatory bail.

2. Due to dispute regarding usage of pathway, two groups indulged in physical altercation and caused injury to each other.

3. The learned Government Advocate (crl.side) for the respondent furnished the Accident Report of the defacto complainant in this case and other two victims. The injury is simple in nature and the injured was treated as out patient.



4. Taking note of the fact, 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, Omalur on condition that each of the petitioners shall execute a separate bonds 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition 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 stay at Erode and report before the Investigating Officer, Erode Town police station daily at 10.30 a.m., until further orders;

(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 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/-

05/04/2022

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,
OMALUR.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DEEVATTIPATTI POLICE STATION,
KADAYAMPATTI TALUK,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.ELANGO Advocate on payment of necessary charges

CRL OP.7437/2022

Date :05/04/2022

JPA 11/04/2022