



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Sixth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7913 of 2022

1 RAVI

[PETITIONERS / ACCUSED]

2 PRATHEEP KUMAR

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ERAVANCHERRY POLICE STATION,
THIRUVARUR DISTRICT.
(CRIME NO.118/2022).

[RESPONDENT]

For Petitioner : M/S.T.MURUGANANTHAM 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 for the alleged offence under Sections 294(b), 323 and 506(ii) of IPC in Crime No.118 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The 1st petitioner is a father and the 2nd petitioner is the son. It is alleged that, due to property dispute, they have attacked the defacto complainant and caused head injury on the defacto complainant's head and he was admitted in the hospital as In-patient and now he has been discharged.

3. The learned Counsel for the petitioners submits that the petitioners also sustained injuries in the alleged fight and further they have given a complaint against the defacto complainant and for the same, investigation is pending. Hence, he pleads for grant of anticipatory bail to the petitioners.



4. Considering the fact that the injured/defacto complainant has been discharged from the hospital and further considering that the petitioners and the defacto complainant are residing in the same village, this Court is inclined to grant anticipatory bail to the petitioner with a condition that the petitioner shall stay at Mayavaram until further orders.

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, Nannilam on condition that the petitioners shall execute separate bond 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 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) 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioners shall report before the Mayavaram Town Police Station daily at 10.30.a.m., until further orders.

(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 has 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

06/04/2022

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,
NANNILAM.

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

3 THE INSPECTOR OF POLICE,
ERAVANCHERRY POLICE STATION,
THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
MAYAVARAM TOWN POLICE STATION,
MAYAVARAM.

+1 CC to M/S.T.MURUGANANTHAM Advocate on payment of necessary
charges SR.NO. 5379

CRL OP.7913/2022

Date :06/04/2022

RW 12/04/2022