



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8335 of 2022

1 M.JEEVA
2 S.MANI
3 G.MURUGESAN
4 S.DINESHWAREN

[PETITIONERS / ACCUSED]

Vs

THE INSPECTOR OF POLICE
VELUR POLICE STATION,
NAMAKKAL DISTRICT.
CRIME NO. 51 OF 2022.

[RESPONDENT]

For Petitioner : M/S. M.MARIMUTHU Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (Crl. Side)

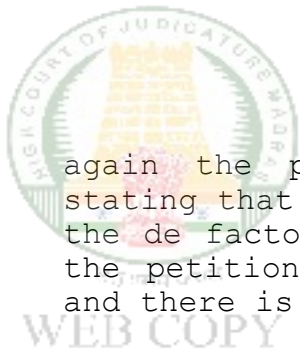
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners herein, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC, in Crime No.51 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petitioners under the influence of alcohol attacked the de facto complainant and two others with stick and wooden log causing injury. A case has been registered against them in Crime No.51 of 2022. One of the victim, who was hospitalised on 20.02.2022 and got discharged on 23.02.2022, two others were treated as out patient.

3. Earlier anticipatory bail petition moved by these petitioners was dismissed on 07.03.2022 considering the gravity of the offence and the conduct of the petitioners. After lapse of one month



again the petitioners have filed the anticipatory bail petition stating that in the counter complaint given by the petitioners herein, the de facto complainant and other persons were released on bail and the petitioners are cooperating with the investigation in this case and there is no apprehension in the minds of the victim in this case.

4. Taking note of these facts, 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, Paramathi, Namakkal, on condition that each the petitioners shall execute a separate 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 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 report before the Investigating Officer as and when required for 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 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.

WEB COPY

-sd/-

12/04/2022

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,
PARAMATHI, NAMAKKAL DISTRICT.

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

3 THE INSPECTOR OF POLICE
VELUR POLICE STATION,
NAMAKKAL DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. M.MARIMUTHU Advocate on payment of necessary charges SR.NO. 5636

CRL OP.8335/2022

Date :12/04/2022

RW 20/04/2022