



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Sixth day of April Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8011 of 2022

1 RANGAN @ RANGASAMY [PETITIONERS / ACCUSED]
2 KARTHIK
3 BALAN
4 DURGA

Vs

THE STATE REP. BY [RESPONDENT]
INSPECTOR OF POLICE,
ATTUR RURAL POLICE STATION,
SALEM.
CRIME NO.98 OF 2022

For Petitioner : M/S. M.R.FRANKLIN 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 an offence punishable under Sections 294 (b), 341, 323, 324, 506(2) of IPC and Section 4 of Prohibition of Harassment of women Act 2002 in Crime No.98 of 2022 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side).

3. Due to the dispute regarding parking of harvest machine in the poromboke land these petitioners have restrained the defacto complainant's son and picked up quarrel. The first petitioner has thrown stone on the head of the defacto complainant and other petitioners have attacked the defacto complainant with hands, thereby, the defacto complainant sustained lacerated wound just behind the left ear.



4. Considering the overt act of the first petitioner, this Court is not inclined to grant anticipatory bail to the first petitioner. As far as other petitioners 2 to 4 are concerned, this Court is inclined to grant anticipatory bail with certain conditions.

5. Accordingly, the petitioners 2 to 4 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-I, Attur, on condition that the petitioners shall execute separate bonds 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 learned Magistrate concerned and on further conditions that:

(a) if the petitioners 2 to 4 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 2 to 4 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;

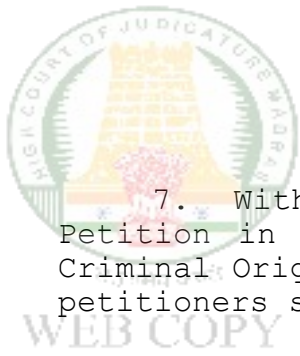
(c) the petitioners 2 to 4 shall report before the Investigating Officer daily at 10.30 a.m., until further orders;

(d) the petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners 2 to 4 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 2 to 4 in accordance with law as if the conditions have been imposed and the petitioners 2 to 4 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



7. With the above directions, this Criminal Original Petition in respect of the 1st petitioner stands dismissed. The Criminal Original Petition in respect of the the 2nd , 3rd, and 4th petitioners stands ordered.

-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 NO.I,
ATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ATTUR RURAL POLICE STATION,
SALEM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.8011/2022

Date :06/04/2022

MK:18/04/2022