



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eighteenth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION Nos.8464 & 8572 of 2022

1 MOORTHY [PETITIONER / ACCUSED
2 ARUMUGAM IN CRL.O.P.No.8464/2022]
3 JOHN VICTOR
4 MANIKANDAN

1 HARIKRISHNAN [PETITIONER / ACCUSED
2 SATHIVEL IN CRL.O.P.No.8572/2022]
3 MURUGAN
4 RAJA

Vs

STATE REP. BY [RESPONDENT
THE INSPECTOR OF POLICE IN BOTH PETITIONS]
VETTAVALAM POLICE STATION,
TIRUVANNAMALAI DISTRICT.
CRIME NO.88 OF 2022.

For Petitioner : M/S.E.BALAMURUGAN Advocate
[IN BOTH PETITIONS]

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)
[IN BOTH PETITIONS]

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 147, 148, 294(b), 323, 324, 506(i), 307 of IPC in Crime No.88 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Due to previous enmity with the defacto complainant, when he was talking in cellphone suspecting that he is taking video graph, the petitioners have attacked the defacto complainant causing severe injuries.



3. The learned Government Advocate (Crl. Side) submits that the injured person has been discharged from the hospital.

4. Considering the fact that the injured discharged from the hospital and also considering that the co-accused enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioners.

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 No.II, Thiruvannamalai District, on condition that the petitioners shall execute separate bond for a sum of Rs.50,000/- (Rupees Fifty 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 Investigating Officer 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/-

18/04/2022

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.II, THIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
VETTAVALAM POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+4 CC to M/S.E.BALAMURUGAN Advocate on payment of necessary
charges SR.NOS.5748 & 5749

CRL OPS.8464 & 8572/2022

Date :18/04/2022

JPA 20/04/2022