



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twentieth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8983 of 2022

1 SASI KUMAR
2 NATARAJAN
3 SUBASH
4 VENKATESAN
5 PURUSHOTTAMAN
6 DHANUSU
7 VIJAYA KUMAR
8 MANIKANDAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
VELLIMEDUPETTAI POLICE STATION,
VILLUPURAM DISTRICT.
(CRIME NO.31/2022)

[RESPONDENT]

For Petitioner : M/S.P.PANDIYARAJ Advocate

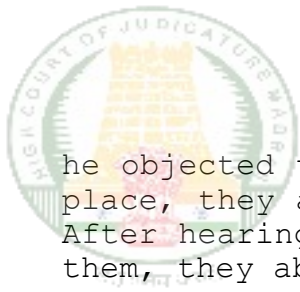
For Respondent : M/S.S.SANTHOSH, Govt. Advocate (Crl. Side)

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 147, 148, 294(b), 323, 324, 341 & 506(ii) of IPC, in Crime No.31 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petitioners are the accused in Crime No.31 of 2022 , wherein, the de facto complainant was alleged that the petitioners were consuming alcohol in a path way near his land, when



he objected them for obstructing the pathway and drinking in a public place, they attacked her husband with beer bottles and caused injury. After hearing the cries, the villagers came to the spot and on seeing them, they abandoned the car and three two-wheelers and ran away.

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3. The learned counsel for the petitioner would state that it is the de facto complainant and others have attacked Sasikumar/1st petitioner and others, restraining the car of the 1st petitioner. Since they sustained injuries, complaint has been given on the same day and same was registered in Crime No.32 of 2022 stating that a case and case in counter aroused due to land dispute and the petitioners are apprehending arrest on the complaint given by Thenmozhi W/o Jothiprakasam.

4. Considering the fact that the petitioners are absconding and the respondent police is unable to secure these petitioners or to disclose their presence in both the crime numbers, to facilitate the completion of the investigation and the injuries sustained are simple in nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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 I, Tindivanam, on condition that each of the petitioners shall execute a separate bond for a sum of Rs.50,000/- (Rupees Fifty 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 twice daily at 10.30 a.m. and 5.30 p.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/-

20/04/2022

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, TINDIVANAM.

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

3 THE INSPECTOR OF POLICE,
VELLIMEDUPETTAI POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.P.PANDIYARAJ Advocate on payment of necessary charges SR.NO. 6012

CRL OP.8983/2022

Date :20/04/2022

RW 26/04/2022