



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Thirteenth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8567 of 2022

1 RAJIV GANDHI @ VIJAYAKANTH [PETITIONERS / ACCUSED]
2 KUMAR

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
BRAMADESAM POLICE STATION,
TIRUVANNAMALAI.
(CRIME NO.95/2022)

For Petitioner : M/S P.SUNDARA RAJAN Advocate

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

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

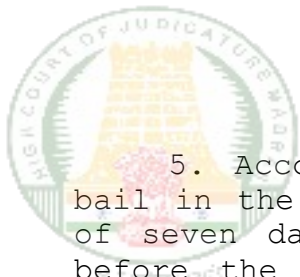
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under **Sections 294(b), 323, 506(ii), 376, 511 of I.P.C. read with Section 4 of TNWH Act** in Crime No.95 of 2022, on the file of the respondent police, seek anticipatory bail.

2. From the FIR, this Court understands that there is a dispute between the *de facto* complainant and the petitioners regarding irrigating the lands which was situated adjacent to each other, this has alleged to wordy quarrel and escalated to physical altercation.

3. The averments in the FIR and the injury found in the *de facto* complainant does not make sound and provide ingredients for the offence under Section 376 of IPC.

4. This Court is of the view that the petitioners are entitled for anticipatory bail 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, Cheyyar** on condition that each of the petitioners shall execute 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 learned Magistrate, failing which the anticipatory bail shall stand canceled 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 report before the Investigating Officer daily at 10.30 a.m. until further orders;**

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(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 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;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
13/04/2022

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.



1 THE JUDICIAL MAGISTRATE,
CHEYYAR, TIRUVANNAMALAI

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
BRAMADESAM POLICE STATION,
TIRUVANNAMALAI.

+2 CC to M/S P.SUNDARA RAJAN Advocate on payment of necessary
charges SR.NO.5673

CRL OP.8567/2022

Date :13/04/2022

TA-21/04/2022