



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 No.8658 of 2022

1 K.VENUGOPAL [PETITIONERS / ACCUSED]
2 V.SHANTHI
3 A.ARUN
4 LOKESH @ ROKESH

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
K-2, POLICE STATION,
AYANAVARAM, CHENNAI-600023.
CR.NO.160/2022.

For Petitioner : M/S. R.N.KARTHIKEYAN 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 herein are arrayed as A3 to A6 apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections **341, 294(b), 323 & 506(ii) of IPC**, in Crime No.160 of 2022, on the file of the respondent police, seek anticipatory bail.

2. According to the prosecution, due to land dispute using common path way with the *de facto* complainant's employer, these petitioners along with A1 & A2 had attacked the *de facto* complainant as well as the owner of the *de facto* complainant. The *de facto* complainant has sustained simple injuries due to stones thrown and punch in his face. Specific overt act has been attributed by these petitioners, hence the complaint given by the injured.



3. The learned counsel for the petitioners states that they have no way connected with the land dispute and the *de facto* complainant is the 3rd party.

4. However, the First Information Report as well as the Accident Report indicate that these petitioners have attacked the *de facto* complainant causing injuries and the Accident Report indicates that seven unknown male using stones and hand had attacked the *de facto* complainant causing lacerated wound on the fore head and contusion.

5. Taking note of the fact that the petitioners have actively participated in the assault of the *de facto* complainant and their presence in the locality may cause re-occurrence of the incident, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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 V Metropolitan Magistrate, Egmore, Chennai - 8**, on condition that each of 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 Inspector of Police, Manavala Nagar Police Station, Tiruvallur District daily at 10.30 a.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/-
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 METROPOLITAN MAGISTRATE,
NO.V, EGMORE, CHENNAI-8.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
K-2, POLICE STATION,
AYANAVARAM, CHENNAI-600023.

5 THE INSPECTOR OF POLICE
MANAVALA NAGAR POLICE STATION,
THIRUVALLUR DISTRICT.

+1 CC to M/S. R.N.KARTHIKEYAN Advocate on payment of necessary charges SR.NO.5715

CRL OP.8658/2022

Date :18/04/2022

TA-22/04/2022