



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Second day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION Nos.9105 & 9139 of 2022

1 SUNDARAM
2 PRABHU
3 VASANTHA

[PETITIONERS / ACCUSED
IN CRL.OP.Nos.9105/2022]

1 VELAYUTHAM
2 NAGARAJ
3 THIAGARAJ

[PETITIONER / ACCUSED
IN CRL.OP.Nos.9139/2022]

Vs

THE INSPECTOR OF POLICE [RESPONDENT
M-2, MADHAVARAM MILK COLONY POLICE STATION, IN BOTH PETITIONS]
CHENNAI DISTRICT
CRIME NO.133 OF 2022

For Petitioner : M/S. A.SARANRAJ Advocate
[IN CRL.OP.Nos.9105/2022]

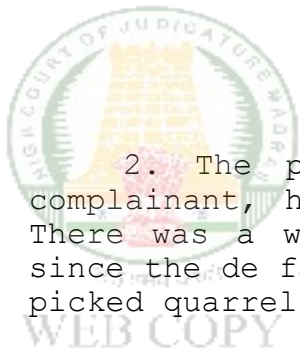
M/S.D.SUDHARSANAM Advocate
[IN CRL.OP.Nos.9139/2022]

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 at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 324 of IPC, in Crime No.133 of 2022, on the file of the respondent police, seek anticipatory bail.



2. The petitioners, who are the neighbours of the de facto complainant, had attacked the de facto complainant and his brother. There was a wordy quarrel between the injured and the petitioners, since the de facto complainant and his brother had consumed liquor and picked quarrel.

3. Considering the nature of the case and the injury, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, 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 Judicial Magistrate Court, Madhavaram on condition that each of the petitioners shall execute a 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 Investigating Officer 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 themselves 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.

WEB COPY

-sd/-
22/04/2022

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,
MADHAVARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

2 THE INSPECTOR OF POLICE
M-2, MADHAVARAM MILK COLONY POLICE STATION,
CHENNAI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. A.SARANRAJ Advocate on payment of necessary charges
SR.NO.6151

+1 CC to M/S.D.SUDHARSANAM Advocate on payment of necessary
charges SR.NO.6150

CRL Ops.9105 & 9139/2022

Date :22/04/2022

JPA 28/04/2022