



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twenty Fifth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION Nos.9061, 9064 & 9399 of 2022

KALIDOSS	[PETITIONER / ACCUSED IN CRL.O.P.No.9061/2022]
GAYATHRI RAGURAM	[PETITIONER / ACCUSED IN CRL.O.P.No.9064/2022]
M.KABILAN	[PETITIONER / ACCUSED IN CRL.O.P.No.9399/2022]

Vs

THE STATE REP BY, THE INSPECTOR OF POLICE, K-11 CMBT POLICE STATION, KOYAMBEDU POLICE STATION, CHENNAI CRIME NO.159 OF 2022.	[RESPONDENT IN ALL THE PETITIONS]
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For Petitioner : M/S.M.SOUNDAR VIJAY ARUL RAM Advocate
[IN ALL THE PETITIONS]

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (Crl. Side)
[IN ALL THE PETITIONS]

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), 324 & 506(ii) of IPC, in Crime No.159 of 2022, on the file of the respondent police, seek anticipatory bail.



2. During the ceremonial garlanding the statue of Dr.Ambedkar on his birthday, the two political party members have clashed leading to case and counter case.

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3. The learned Government Advocate (Crl.side) states that while the party of the de facto complainant was supposed to garland the statue at 10.30 a.m., and the members of the petitioners party were allotted slot at 11.30 a.m. Before the de facto complainant's party left the place, the members of the petitioners party gathered near the statue of Dr.Ambedkar and tensed the situations prevailing, leading to exchange of stone throws. Three persons were injured on the side of the de facto complainant's party and few got injury on the side of the petitioners party. As far as the petitioners in Crl.O.P.Nos. 9064 of 2022 and Crl.O.P.No.9399 of 2022 are concerned, they are named accused in the First Information Report.

4. Considering the fact that the animosity between these two political parties is prevailing in the State and all the issues, they are in the whole part and the counter complaint for the incident, which is took place on the same point of time, 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 V Metropolitan Magistrate, Egmore, Chennai 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 daily at 10.30 a.m. for 30 days, thereafter as and when required;

(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/-

25/04/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE V METROPOLITAN MAGISTRATE
EGMORE, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE
EGMORE CHENNAI. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
K-11 CMBT POLICE STATION,
(KOYAMBEDU POLICE STATION),
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+3 CC to M/S.R.C PAUL KANAGARAJ Advocate on payment of necessary charges SR.NOs.3617,6318 & 6319

CRL OP.Nos.9061, 9064 & 9399 /2022

Date :25/04/2022

RW 02/05/2022