



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 No.9252 of 2022

1 PAVIN [PETITIONERS / ACCUSED]
2 RAJALINGAM
3 VEERABATHIRAM

Vs

THE STATE REPRESENTED BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ANAMALAI STATION,
COIMBATORE
CRIME NO.321 OF 2022

For Petitioners : M/S. G.KARTHEEBAN 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 offence punishable under Sections 294(b), 323, 324 & 506 (Part II) of IPC, in Crime No.321 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petitioners herein along with one Prabhakaran had gone to the house of the defacto complainant on 31.03.2022 at about 10.30 p.m. and called the defacto complainant out from his house and attacked him with iron bangle, wooden log and stone. The defacto complainant and his father had sustained injury, particularly the defacto complainant had sustained lacerated wound on his head due to the attack by the petitioners.

3. Mr.S.Santhosh, learned Government Advocate (Criminal Side) appearing for the respondent Police opposed granting Anticipatory Bail to the petitioners.



4. On going through the FIR, this Court is inclined to dismiss the Anticipatory Bail Petition is so far as the first petitioner is concerned, who is the A2 in the case and is inclined to grant anticipatory bail to the other petitioners with certain conditions. Accordingly, other petitioners / A3 and A4 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 Court No.1, Pollachi, on condition that the petitioners shall execute a 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., 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,
NO.I, POLLACHI.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ANAMALAI STATION,
COIMBATORE

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. G.KARTHEEBAN Advocate on payment of necessary charges SR.NO.6175

CRL OP.9252/2022

Date :22/04/2022

JPA 27/04/2022