



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9628 of 2022

1 JAYARAMAN	[PETITIONERS / ACCUSED]
2 THIRUMARAN	
3 ILANCHEZHIAN	
4 THIRUVARASAN	
5 KRISHNARAJ	
6 MANI @ SUBRAMANIYAN	
7 PADMANAPAN	
8 SASI @ BALASUBRAMANIYAN	
9 MAYA @ KALVIKARASI	
10 VICKY @ VIGNESHKUMAR	
11 RADHAKRISHNAN	

Vs

THE STATE REP BY ITS, THE INSPECTOR OF POLICE, KOTTAKUPPAM POLICE STATION, VILLUPURAM DISTRICT CRIME NO.263 OF 2019.	[RESPONDENT]
--	----------------

For Petitioners : M/S.S.SASIKUMAR 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 143, 294(b), 447, 427 and 506(I) IPC in Crime No.263 of 2019, on the file of the respondent police, seek anticipatory bail.

2. The petitioners herein are absconding accused in a case where complaint has been registered them for damaging the property worth Rs.2,30,000/-. The occurrence has took place due to property dispute between the de facto complainant and the petitioners.



3. The learned Government Advocate (Crl. Side) states that these petitioners are absconding and unable to be secured. Therefore, on completion of investigation absconding charge sheet has been filed.

4. From the FIR and the materials placed, this Court finds that 13 persons have trespassed into the land of the de facto complainant damaged the fencing wire worth Rs.2,00,000/- have been damaged and CCTV camera worth Rs.30,000/- has also been damaged and it is further alleged that the petitioner attacked the de facto complainant and others.

5. In the light of above fact while considering anticipatory bail petition, this Court granted anticipatory bail on condition that each of this petitioners should deposit Rs.25,000/- in the Crime No. 263 of 2019 without prejudice to their right and contention.

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 District Munsif Cum Judicial Magistrate, Vanur, Villupuram District, on condition that each of the petitioners shall deposit Rs.25,000/- in the Crime No.263 of 2019 without prejudice to their right and 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 trial Court on every first working day of the month till conclusion of the trial;

(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.

WEB COPY

-sd/-
27/04/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VANUR,
VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KOTTAKUPPAM POLICE STATION,
VILLUPURAM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.SASIKUMAR Advocate on payment of necessary charges
SR.NO.6330

CRL OP.9628/2022

Date :27/04/2022

JPA 05/05/2022