



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9792 of 2022

1 P.PALANISAMY [PETITIONERS / ACCUSED]
2 SATHEESH @ MOHANKUMAR
3 P.SAHADDEVAN

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
VELAGOUNDAMPATTI POLICE STATION,
NAMAKKAL DISTRICT.
CR.NO.45 OF 2022.

For Petitioner : M/S. SURYAKUMARAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Cr1. 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 294(b), 323, 324 and 506(II) IPC** in Crime No.45 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petitioners alleged to have restrained the *de facto* complainant while he attempted to negotiate temple possession and the petitioners herein have damaged the car as well as hit the *de facto* complainant and his son with hands and stones, The *defacto* complainant's son sustained head injury and was treated as out-patient in the Government Hospital, Namakkal.

3. The learned counsel for the petitioners states that a counter case has been given by the petitioners herein against the *de facto* complainant, Palanisami and others for damaging their house.



5. Taking note of the fact that the petitioner have developed enmity with the *de facto* complainant and had attacked him, this Court is inclined to grant anticipatory bail with a condition that the petitioner shall stay at Trichy until further orders.

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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 **Judicial Magistrate No I, Namakkal**, on condition that each of the petitioners shall 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 stay at Trichy and report before Trichy town police station daily at 10.30 a.m until further orders;**

(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.

-sd/-

29/04/2022

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.



1 THE JUDICIAL MAGISTRATE,
NO. I, NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VELAGOUNDAMPATTI POLICE STATION,
NAMAKKAL DISTRICT.

5 THE OFFICER INCHARGE
TRICHY TOWN POLICE STATION,
TRICHY.

+1 CC to M/S. SURYAKUMARAN Advocate on payment of necessary
charges SR.NO.6541

CRL OP.9792/2022

Date :29/04/2022

TA-06/05/2022