



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9778 of 2022

SOUNDARARAJAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ULUNDURPET POLICE STATION,
KALLAKURICHI DISTRICT.
CR.NO.187 OF 2022.

[RESPONDENT]

For Petitioner : M/S. P.JAYACHANDRAN 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 petitioner, who apprehends arrest for the alleged offence **under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC** in Crime No.187 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein is one of the 15 accused in a case where the defacto complainant is alleged that on 15.04.2022, a gang of 15 persons, due to previous land dispute trespassed into the house of the defacto complainant and attacked the defacto complainant's family indiscriminately causing severe injuries.

3. The learned counsel for the petitioner would submit that the petitioner is a Government Servant working as Village Administrative Officer and further he is not present in the scene of crime and due to previous enmity, his name has been wrongly roped in. Hence, he seeks for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) submits that it is a case and case in counter wherein a case has been registered against the defacto complainant by name Selvi and others. for the offence under sections 147, 148, 294(b), 323, 324, 506(ii) of IPC.

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5. Considering the nature of the complaint and also considering that the petitioner is a Government Servant, custodial interrogation of the petitioner is not required. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate I, Uludhurpet** on condition that the petitioner 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) the petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial;

(c) **the petitioner shall report before the Investigating Officer daily at 10.30 a.m., until further orders.**

(d) the petitioner 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 petitioner in accordance with law as if the conditions has been imposed and the petitioner 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

28/04/2022

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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, ULUNDURPET, VILLUPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
ULUNDURPET POLICE STATION,
KALLAKURICHI DISTRICT.

+1 CC to M/S. P.JAYACHANDRAN Advocate on payment of necessary charges SR.NO.6513

CRL OP.9778/2022

Date :28/04/2022

TA-06/05/2022