



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.10842 of 2022

1 PANDIYAN @ PANDIDURAI
2 AATHIMOOLAM
3 ARUMUGAM
4 RAJA DURAI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE
ARAKANDANALLUR POLICE STATION,
VILLUPURAM DISTRICT
CRIME NO.153 OF 2022.

[RESPONDENT]

For Petitioner : M/S.DASS AND VISWA ASSOCIATES Advocate

For Respondent : MR.N.S.SUGANTHAN, Government 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 for the alleged offences under Sections 147, 148, 294(b), 323, 324, 447, 342, 506(2) of IPC in Crime No.153 of 2022, on the file of the respondent police, seek anticipatory bail.

2. It is seen from the submissions of the learned counsel for the parties that in a dispute with regard to the house site, there was a fight and this case came to be registered. There is also a case in counter registered in Cr.No.154 of 2022.

3. The learned counsel for the petitioners has submitted that the co-accused has already been granted anticipatory bail by the learned Principal Sessions Judge, Villupuram in CMP.No.2524 of 2022.



4. The learned Government Advocate (Crl. Side) appearing for the respondent admits that the injured person has been discharged from the hospital.

WEB COPY

5. Considering the nature of the offence and the fact that the injured person has been discharged from the hospital and the co-accused has already been granted anticipatory bail by the learned Principal Sessions Judge, Villupuram in CMP.No.2524 of 2022, this Court is inclined to grant anticipatory bail to the petitioners subject to certain conditions.

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 Judicial Magistrate, Thirukovilur, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 conditions that:

(a) the petitioners and the sureties shall affix his 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 not tamper with evidence or witness either during investigation or trial;

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

(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 has 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-

06/05/2022

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,
THIRUKOVILUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
ARAKANDANALLUR POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.DASS AND VISWA ASSOCIATES Advocate on payment of
necessary charges SR.NO. 6884

CRL OP.10842/2022

Date :06/05/2022

RW 10/05/2022