



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR
CRIMINAL ORIGINAL PETITION No.10572 of 2022

1 ANJAN
2 SURESH

[PETITIONERS / ACCUSED]

Vs

STATE REP.BY [RESPONDENT]
THE INSPECTOR OF POLICE,
KEELAIYUR POLICE STATION (L AND O),
NAGAPATTINAM DISTRICT.
CR.NO.114 OF 2022.

For Petitioner : M/S.P.MUTHAMIZHSELVAKUMAR Advocate

For Respondent : Mr.C.E.Pratap Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

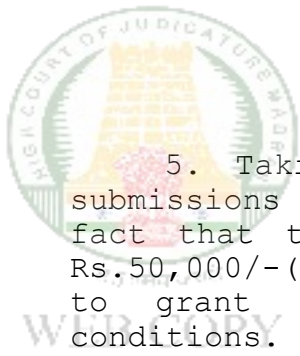
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under Sections 448, 294(b), 323, 427 & 506(ii) of IPC in Crime No.114 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused went to the hotel run by the defacto complainant in an inebriated stage, abused him in filthy language and took a sum of Rs.31,500/- from the shop and cause damage to the shop . Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners are ready to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) each to the credit of crime No.114 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioners and other accused caused damage to the tune of Rs.1,00,000/-, and hence, opposed for grant of anticipatory bail to the petitioners.



5. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that the petitioners have come forward to deposit a sum of Rs.50,000/- (Rupees Fifty thousand Only) each, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) each to the credit of Crime No.114 of 2022, within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate No.II, Nagapattinam, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[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].



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

26/05/2022

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,
NO.II, NAGAPATTINAM

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
KEELAIYUR POLICE STATION (L AND O),
NAGAPATTINAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.P.MUTHAMIZHSELVAKUMAR Advocate on payment of
necessary charges Sr.7927

CRL OP.10572/2022

Date :26/05/2022

RVR 01/06/2022