



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.10658 of 2022

1 N.RANJITH [PETITIONERS / ACCUSED]
2 N.RAJESH
3 N.RAJA
4 K.NATARAJAN
5 N.PARVATHI
6 P.THIRUNAVUKKARASU

Vs

STATE REP. BY
THE INSPECTOR OF POLICE [RESPONDENT]
CHETPET POLICE STATION,
CHETPET TALUK,
THIRUVANNAMALAI DISTRICT.
CRIME NO.280 OF 2022.

For Petitioners : M/S.S.B.VISWANATHAN Advocate

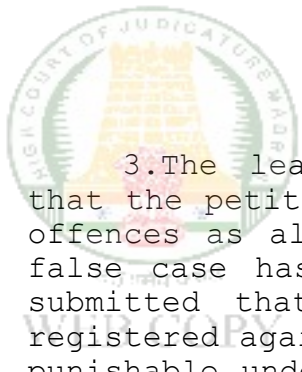
For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under sections 147, 148, 294(b), 323, 324, 506(ii) and 352 of IPC in Crime No.280 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 24.04.2022, when the defacto complainant's wife, who is the councillor of Ward No.18 of Chepet, Tiruvannamalai, questioned one Shajahan with regard to laying cement road on Kottai Mettu Street, Chetpet Town, the first accused abused her in filthy language and pushed her down. When the defacto complainant questioned the same, the petitioners along with other accused attacked the defacto complainant and others with wooden log and iron rod and thereby, caused injuries to them and also threatened them with dire consequences.



3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they had not committed any such offences as alleged by the prosecution. Due to political enmity, a false case has been foisted as against the petitioners. He further submitted that a case in counter in Crime No.279 of 2022 was registered against the defacto complainant and others for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) and 384 of IPC. Hence, he pleads for anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that it is a case in counter and the injured in this case have been discharged from the hospital.

5. Considering the facts of the case and that now, the injured has been discharged from the hospital, custodial interrogation of the petitioners are not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate, Polur, Thiruvannamalai District, on condition that the petitioners shall execute own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each, 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 petitioners shall affix their photograph 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 respondent police as and when required for interrogation;

(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.

-sd/-
11/05/2022

WEB COPY

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,
POLUR, THIRUVANNAMALAI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
CHETPET POLICE STATION,
CHETPET TALUK, THIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.B.VISWANATHAN Advocate on payment of necessary charges SR.NO.6915

CRL OP.10658/2022

Date :11/05/2022

JPA 13/05/2022