



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11262 of 2022

1 PRABUDEVA
2 PERIYASAMY

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS,
THE SUB INSPECTOR OF POLICE,
KILPENNATHUR POLICE STATION,
TIRUVANNAMALAI DISTRICT.
CR.NO.156 OF 2022.

[RESPONDENT]

For Petitioner : M/S.S.PANNEER SELVAM Advocate

For Respondent : A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

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

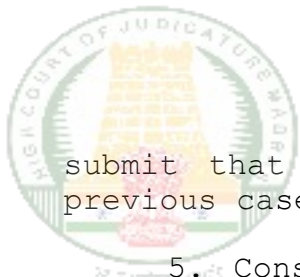
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 307 of IPC in Crime No.156 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 13.04.2022 at about 08.30 p.m., when the defacto complainant and one Vicky were standing near the Muthu Mariamman koil, the petitioners along with others came and attacked the defacto complainant and also abused him with filthy language due to previous enmity, in which, the defacto complainant sustained grievous injuries. Hence, the complaint.

3. Learned counsel appearing for the petitioners would submit that the petitioners are no way connected with the offence. It is further submitted that the complaint has been lodged against the petitioners with an ulterior motive and the prosecution has implicated them for no reasons and the same had been lodged due to previous enmity and to wreck vengeance.

4. Learned Addl. Public Prosecutor appearing for respondent would submit that due to previous enmity, the petitioners have attacked defacto complainant and caused grievous injuries. He would



submit that injured discharged from the hospital and there is no previous case registered against the petitioners.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with 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 fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.2, Tiruvannamalai, 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, who shall be blood relatives of the petitioners, 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 four 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/-

18/05/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY



TO

1 THE JUDICIAL MAGISTRATE NO.2,
TIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUVANNAMALAI DISTRICT.

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
KILPENNATHUR POLICE STATION,
TIRUVANNAMALAI DISTRICT.

+1 CC to M/S.S.PANNEER SELVAM Advocate on payment of necessary
charges SR.7193

CRL OP.11262/2022

Date :18/05/2022

SRG 19/05/2022