



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twelfth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.10930 of 2022

1 AMAVASAI [PETITIONERS / ACCUSED]
2 SARATH @ SARATHKUMAR
3 MANI
4 MURUGESAN

Vs

THE STATE REP.BY [RESPONDENT]
THE INSPECTOR OF POLICE,
WALAJAPET POLICE STATION,
RANIPET DISTRICT.
CR.NO.217 OF 2022.

For Petitioner : M/S. R.SASIKUMAR Advocate

For Respondent : M/S.S.SUGENDRAN, 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 for the alleged offences under sections **294(b), 323, 324 & 506(ii) of IPC** in **Crime No. 217 of 2022** on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 04.05.2022, due to property dispute with regard to the pathway, the petitioners had abused the de-facto complainant in filthy language and also attacked the de-facto complainant using iron rod and thereby, caused injuries.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any such offences as alleged by the prosecution. He further submitted that they had been falsely implicated in this case. Hence, he pleads for anticipatory bail.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the injured has been discharged from the hospital.

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5. Considering the facts of the case and that now, the injured has been discharged from the hospital, custodial interrogation of the petitioners is 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Learned Judicial Magistrate No.I, Walajapet** on condition that the petitioners shall execute their 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 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 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/-

12/05/2022

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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, WALAJAPET, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
WALAJAPET POLICE STATION,
RANIPET DISTRICT.

+1 CC to M/S. R.SASIKUMAR Advocate on payment of necessary charges SR.NO.7042

CRL OP.10930/2022

Date :12/05/2022

TA-16/05/2022