



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.11009 of 2022

1 E.P.K.MANI @ PALANIYAPPAN [PETITIONERS/ ACCUSED]
2 NATARAJAN

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
THIRUCHENGODE RURAL POLICE STATION,
THIRUCHENGODE,
NAMAKKAL DISTRICT.
(CR.NO.119/2022)

For Petitioner : M/S.R.NALLIYAPPAN Advocate

For Respondent : MR.S.SUGENDRAN, Additional Public Prosecutor

For Defacto Complainant: MR.C.S.SARAVANAN, Advocate

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), 447 and 506(i) of IPC in Crime No.119 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute, there was a quarrel between the petitioners and the de-facto complainant, thereby the petitioners abused the de-facto complainant and criminally intimidated her.

3.The learned counsel appearing for the petitioners submitted that the petitioners had not committed any such offences as alleged by the prosecution and they had been falsely implicated in this case. Hence, he pleads for anticipatory bail to the petitioners.



4. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police.

5. Considering the facts and circumstances of the case, custodial interrogation of the petitioners is not necessary and 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, Thiruchengode, 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 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

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.



1 THE JUDICIAL MAGISTRATE,
THIRUCHENGODE.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIRUCHENGODE RURAL POLICE STATION,
THIRUCHENGODE, NAMAKKAL DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.R.NALLIYAPPAN Advocate on payment of necessary
charges SR.No.6944

CRL OP.11009/2022

Date :11/05/2022

CSK 13/05/2022