



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.11008 of 2022

1 N.JAYACHANDRAN [PETITIONERS/ ACCUSED NO.1 TO 5]
2 AMUDHA
3 N.SATHISHKUMAR
4 RADHIKA
5 SARASWATHI

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
ERODE NORTH POLICE STATION,
ERODE DISTRICT.
(CR.NO.214 OF 2022)

For Petitioner : M/S.M.GURUPRASAD Advocate

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

For Intervenor : 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 at the hands of the respondent police for the alleged offences under Sections 147, 447, 294(b), 323, 427 & 506(i) of IPC in Crime No.214 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to a land dispute between the petitioners and the adjacent land owner one Kannaki, the defacto complainant/employee of the said Kannaki was attacked, abused and threatened with dire consequences by the petitioners herein.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he pleads for grant of anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that it is a property dispute between the adjacent land owners in which the defacto complainant has been assaulted by the petitioners and caused simple injuries.

5. Considering the facts and circumstances of the case, the custodial interrogation of the petitioners is not necessary in this case 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 Court No.I, Erode, on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) 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 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 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 petitioner Nos.1 & 3 shall report before the respondent Police for a period of four weeks and the petitioner Nos.2, 4 & 5, being ladies, shall appear 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 have been imposed and the petitioner 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.

WEB COPY

-sd/-
12/05/2022

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.I, ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ERODE NORTH POLICE STATION,
ERODE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.GURUPRASAD Advocate on payment of necessary charges SR.No.7020

CRL OP.11008/2022

Date :12/05/2022

CSK 13/05/2022