



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.11033 of 2022

1 SATHIYA @ SATHIYAVANI
2 KUMAR
3 BABU
4 MUTHALU
5 MALATHI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP
THE INSPECTOR OF POLICE,
KILIYANOOR POLICE STATION,
VILLUPURAM.
CRIME NO.29/2022.

[RESPONDENT]

For Petitioner : M/S.S.JAGANATHAN Advocate

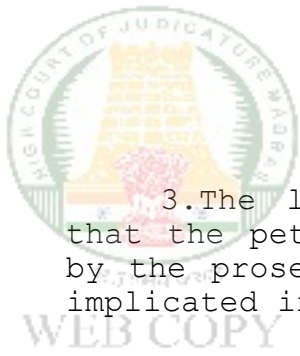
For Respondent : M/S.S.SUGENDRAN, Additional Public Prosecutor

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 147, 148, 294(b), 323, 324 and 506(ii) of IPC in Crime No.29 of 2022, on the file of the respondent police, seek anticipatory bail.

2. In this case, totally there are seven accused and the petitioners herein are the accused No.2 to 4 and 6 and 7. The case of the prosecution is that due to land dispute, the petitioners along with other accused brutally attacked the de-facto complainant with deadly weapons and caused grievous injuries to them and also criminally intimidated them.



3. The learned counsel appearing for the petitioners submitted that the petitioners had 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 opposed to grant anticipatory bail to the petitioners. He further submitted that the first accused was arrested and released on bail and the injured in this case has been discharged from the hospital.

5. Considering the facts of the case and that now, the injured persons have 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate, Vanur, 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.

WEB COPY

-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.

TO

1 THE JUDICIAL MAGISTRATE,
VANUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KILIYANOOR POLICE STATION,
VILLUPURAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.JAGANATHAN Advocate on payment of necessary charges SR.NO. 6922

CRL OP.11033/2022

Date :11/05/2022

RW 13/05/2022