



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.11056 of 2022

1 SATHISH KUMAR
2 UDHAYAKUMAR

[PETITIONERS / ACCUSED]

Vs

THE INSPECTOR OF POLICE
SATHANGADU POLICE STATION,
MADHAVARAM DISTRICT.
(THIRUVALLUR DISTRICT).
CRIME NO.793 OF 2021.

[RESPONDENT]

For Petitioner : M/S.R.PARTHIBAN 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 apprehends arrest for the alleged offences under sections 147, 148, 152, 294(b), 324, 353, 506(ii) of IPC r/w 3 of TNPPDL Act altered under Section 147, 148, 152, 294(b), 324, 353, 307, 506(ii) of IPC r/w 3 of TNPPDL Act in Crime No.793 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant viz., Manigandan lodged a complaint before the respondent Police stating that on 22.12.2021, at Raja Shanmugam Nagar, 3rd Street an unknown person committed suicide by hanging himself. When the defacto complainant tried to take the dead body to the hospital, the petitioners assaulted the defacto complainant by stones.

3.The learned counsel appearing for the petitioners submitted that since the petitioners are friends of A1, their names are falsely implicated in this case. The petitioners are an innocent persons and



they have not committed any such offences as alleged by the prosecution. He further submitted that A1 to A4 are released on bail and A10, A11 and A13 were granted anticipatory bail. Hence, he pleads for anticipatory bail.

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4. The learned Additional Public Prosecutor appearing for the respondent police submitted that there is previous case against the petitioners. He further submitted that the defacto complainant discharged from the hospital.

5. Considering the fact of the case and the fact that now, 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 is 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 Court, Tiruvottiyur on condition that 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 petitioners shall report before the respondent 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.

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-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,
TIRUVOTTIYUR, THIRUVALLUR DISTRICT.

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

3 THE INSPECTOR OF POLICE
SATHANGADU POLICE STATION,
MADHAVARAM DISTRICT (TIRUVALLUR DISTRICT)

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.RAJADURAI Advocate on payment of necessary charges
SR.NO. 7061

CRL OP.11056/2022

Date :12/05/2022

RW 16/05/2022