



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11406 of 2022

1 SRINIVASAN @ KRISHNAKUMAR [PETITIONERS / ACCUSED]
2 MURUGAN S/o. KUMAR
3 MURUGAN S/o. SHANMUGAM
4 SATHIYA
5 AJITH @ AJITHKUMAR
6 PRABHU

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
SHOLINGHUR POLICE STATION,
SHOLINGHUR,
RANIPET DISTRICT.
CR.NO.79 OF 2022.

For Petitioner : M/S.R.VETRIVEL Advocate

For Respondent : MR.A.DAMODARAN ADDITIONAL PUBLIC PROSECUTOR

For Intervener : MR.K.BALU (VAKALAT NOT FILED)

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 offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) and 307 of IPC in Crime No.79 of 2022, seek anticipatory bail.

2. The case of the prosecution is that there is a money transaction between the first accused and the injured, due to which the first petitioner called the victim to the first petitioner's house to repay the amount borrowed by him. At that juncture, all accused persons attacked the injured with sticks and other weapons, due to which, he sustained cut injury on his left hand and he also lost one finger. That apart, the first accused is a history sheeter and he is having several previous cases. The other accused persons are family members of A1.



3. The learned counsel for the petitioners would submit that the petitioners are the innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

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4. The learned Additional Public Prosecutor would submit that the petitioners attacked the defacto complainant and caused injuries. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners 2 to 6 alone with certain conditions.

6. Accordingly, as far as the first petitioner is concerned, this petition is dismissed and insofar as the other accused persons are concerned, this Court is inclined to grant anticipatory bail to the petitioners 2 to 6. Accordingly, the petitioners 2 to 6 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 on which the order copy made ready, before the learned Judicial Magistrate, Sholinghur, on condition that the petitioners 2 to 6 shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, one among the surety shall be a blood relative of the accused, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 2 to 6 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners 2 to 6 shall stay at Chennai and report before the Inspector of Police, Egmore Police Station for a period of two weeks and thereafter before the respondent Police for a period of another two weeks and thereafter as and when required for interrogation.

[c] the petitioners 2 to 6 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 2 to 6 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 2 to 6 in accordance with law as if the conditions have been imposed and the petitioners 2 to 6 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].



[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
18/05/2022

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This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
SHOLINGHUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
RANIPET DISTRICT.[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS-104.

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

5 THE INSPECTOR OF POLICE,
EGMORE POLICE STATION, CHENNAI.

+1 CC to M/S.R.VETRIVEL Advocate on payment of necessary charges Sr.7158

CRL OP.11406/2022

Date :18/05/2022

srg 19/05/2022