



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11545 of 2022

1 A.ARUN

[PETITIONERS / ACCUSED]

2 VEERA

3 N.SURESH

Vs

INSPECTOR OF POLICE

[RESPONDENT]

T14, MANGADU POLICE STATION,
CHENNAI.

CRIME NO. 242 OF 2022.

For Petitioner : M/S. S.SENTHILVEL Advocate

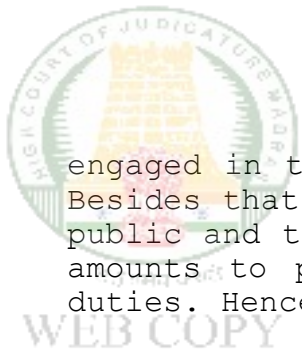
For Respondent : M/S.A.DAMODARAN, Additional Public Prosecutor

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, 353, 332, 506(ii) IPC, r/w.3 of TNOPPDL Act (Tamil Nadu Open Places (Prevention of Disfigurement) Act 1959 in Crime No.242 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on account of previous enmity between the two factions who were residing in the same area, there arose a wordy quarrel among themselves. Having regard to the same, on information, the Special Sub Inspector of Police, who was incharge of the Police Patrol Vehicle went to the spot and asked the two factions to disperse from the spot in order to prevent any untoward incident. Enraged by the same, the petitioners who were ranked as A2, A4 and A7 respectively, threatened the police by pelting stones over them, due to which, the police personnels



engaged in the duty were injured and their vehicle was also damaged. Besides that, the act of the petitioners caused great fear to general public and traffic dislocation. Therefore the act of the petitioners amounts to prevention of police personnels from discharging their duties. Hence the complaint.

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. He further submitted that the third petitioner was arrested by the respondent police. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners by pelting stones on the police personnels caused injuries to them and also damaged the patrol vehicle, thereby they have prevented the police from discharging duties. He would further submit that A2 has one previous case. Further, he stated that the third petitioner was arrested by the respondent police. Thus he vehemently opposed for granting anticipatory bail to petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel and also to avoid tension situation between the two rival groups, this Court is inclined to grant anticipatory bail to the first and second petitioner with certain conditions.

6. As far as third petitioner is concerned, since he has already been arrested, this petition is dismissed as against the third petitioner.

7. Accordingly, the first and second 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 on which the order copy made ready, before the learned Judicial Magistrate, Sriperumbudur, Kancheepuram District on condition that each of the petitioners shall execute a separate bond for a sum of Rs.10,000 /- (Rupees ten 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the first and second petitioners 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 first and second petitioners shall stay at Dharmapuri and report before the Station House Officer, Dharmapuri Town Police Station daily at 10.30 a.m. for a period of four weeks and



thereafter, report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[c] the first and second petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the first and second 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 the first and second petitioners in accordance with law as if the conditions have been imposed and the first and second 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].

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

-sd/-
19/05/2022

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,
SRIPERUMBUDUR, KANCHEEPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
T14, MANGADU POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



5 THE STATION HOUSE OFFICER,
DHARMAPURI TOWN POLICE STATION,
DHARMAPURI.

WEB COPY

+1 CC to M/S. S.SENTHILVEL Advocate on payment of necessary
charges SR.NO. 7505

CRL OP.11545/2022

Date :19/05/2022

RW-26/05/2022