



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.12282 of 2022

1 Y.VINOTH WALTER
2 L.GANESH

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSEPCTOR OF POLICE,
K.V.KUPPAM POLICE STATION,
VELLORE DISTRICT.
CRIME NO.349/2021

[RESPONDENT]

For Petitioner : S.THIRUGNANAM Advocate

For Respondent : M/S.R.KISHORE KUMAR, Govt. Advocate (Crl. Side)

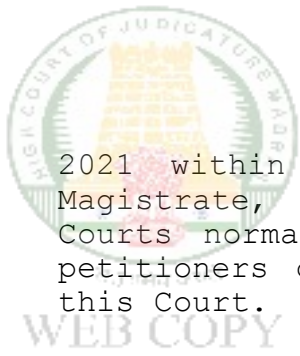
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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, 307 of IPC in Crime No.349 of 2021, seek anticipatory bail.

2. The case of the prosecution is that A1 developed illegal intimacy with the daughter of the defacto complainant. Due to which, there was wordy quarrel between the petitioners and the defacto complainant, out of which, the petitioners stabbed the defacto complainant using knife thereby, sustained severe injuries. Hence, the complaint.

3.This Court has already granted Anticipatory Bail to the petitioners on 10.01.2022, on condition that the petitioners shall deposit a sum of Rs.20,000/- each to the credit of Crime no.349 of



2021 within a period of two weeks before the learned Judicial Magistrate, Katpadi after lifting of lockdown or commencement of Courts normal functioning, which ever is earlier. However, the petitioners could not able to comply with the condition imposed by this Court.

4. Considering the above fact and circumstances of the case and also due to Covid -19 Pandemic situation ascertained by this Court, this Court is inclined to grant anticipatory bail to the petitioners with the same conditions.

5. 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 on which the order copy made ready, before the learned Judicial Magistrate, Katpadi on condition that 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, and further condition that:

(a) the petitioners shall deposit a sum of Rs.20,000/- (Rupees twenty thousand only) each to the credit of Crime no.349 of 2021 within a period of fifteen(15) days before the learned Judicial Magistrate Court at Katpadi. On such deposit being made, the learned Magistrate, shall obtain an affidavit of undertaking from the defacto complainant stating that in the event of the petitioners succeeding the case, the amount of Rs.20,000/- each deposited by the petitioners to the credit of Crime no.349 of 2021 will be returned to the petitioners and after obtaining such affidavit of undertaking from the defacto complainant, shall disburse the said amount to the defacto complainant within a period of two weeks thereafter,

[b] the 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.

[c] the petitioners shall 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.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.



[f] 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 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].

[g] If the accused thereafter abscond, 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,
KATPADI.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE INSEPCTOR OF POLICE,
K.V.KUPPAM POLICE STATION,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.THIRUGNANAM Advocate on payment of necessary charges SR.NO. 7501

CRL OP.12282/2022

Date :19/05/2022

RW-24/05/2022