



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Friday, the Twentieth day of May Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.11992 of 2022

1 SUBASH [PETITIONERS / ACCUSED]
2 JAYAPAL
3 MANI
4 KASTHURI
5 SARANYA
6 PASUPATHI
7 SUBRAMANI

Vs

THE STATE RPE. BY ITS [RESPONDENT]
INSPECTOR OF POLICE,
KADALADI POLICE STATION,
TIRUVANNAMALAI DISTRICT.
(CRIME NO.202/2022)

For Petitioner : M/S.E.SATHIYARAJ Advocate

For Respondent : M/S. A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

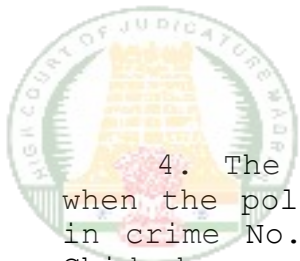
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 341, 216, 225, 323, 332, 353 & 427 of IPC in Crime No.202 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 29.04.2022, when the police officials arrested the first petitioner in respect of crime No.3 of 2022 on the file of the All Women Police Station, Chidambaram, the first petitioner along with other petitioners made quarrel with the police officials, thereby the first petitioner escaped from the spot. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor would submit that when the police officials were trying to arrest the first petitioner in crime No.3 of 2022 on the file of the All Women Police Station, Chidambaram, the other petitioners came there and threw chilli power over the police officials, thereby the first petitioner escaped from the spot. He would further submit that the third petitioner/A2 has four previous cases. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners 1, 2, 4 to 7. As far as the third petitioner/A2 is concerned, this petition is dismissed.

6. Accordingly, petitioners 1, 2, 4 to 7 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 District Munsif Court cum Judicial Magistrate, Kalasapakkam, Tiruvannamalai District on condition that each of the petitioners 1, 2, 4 to 7 shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood related 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] petitioners 1, 2, 4 to 7 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] petitioners 1, 2 & 6 shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m. until further orders; petitioners 4, 5 & 7 shall report before the respondent police as and when required for interrogation.

[c] petitioners 1, 2, 4 to 7 shall not tamper with evidence or witness either during investigation or trial.

[d] petitioners 1, 2, 4 to 7 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 petitioners 1, 2, 4 to 7 in accordance with law as if the conditions have been imposed and petitioners 1, 2, 4 to 7 released on bail by the learned Magistrate/Trial Court themselves 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/-

20/05/2022

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 DISTRICT MUNSIF COURT
CUM JUDICIAL MAGISTRATE, KALASAPAKKAM,
TIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI (FOR INFORMATION)

3 INSPECTOR OF POLICE,
KADALADI POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.E.SATHIYARAJ Advocate on payment of necessary charges
Sr.7696

CRL OP.11992/2022

Date :20/05/2022

RVR 24/05/2022