



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.13092 of 2022

1 V.SENTHILKUMAR
2 C.RANJITH KUMAR

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS
INSPECTOR OF POLICE,
C-4, VEERANAM POLICE STATION,
SALEM CITY,
SALEM, TAMILNADU
CRIME NO.114 OF 2022

[RESPONDENT]

For Petitioner : M/S.L.K.CHARLES ALEXANDER Advocate

For Respondent : MR. S.UDAYAKUMAR, 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 offence punishable under Sections 294(b), 324, Section 4 of TNPHW Act 2002 in Crime No.114 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that petitioners herein have gone to the house of the defacto complainant to discuss about the conducting the temple festival, in which a fight had taken place and the petitioners have attacked the defacto complainant with a PVC pipe. When the daughter of the defacto complainant tried to rescue her father, she was also attacked by them using PVC pipe and sustained injury. Hence, the complaint.



3.The learned counsel appearing for the petitioners would submit that the petitioners have been falsely implicated in this case. Hence he prays anticipatory bail to the petitioners.

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4.Considering the nature of the injury and efflux of time and the fact that in spite of the earlier dismissal of anticipatory bail petition the respondent police not have arrested the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned IV Judicial Magistrate Court, Salem on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only), each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioners shall report before the Investigating Officer as and when required for an 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]; and;



(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-

08/06/2022

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,
NO.IV, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
C-4, VEERANAM POLICE STATION,
SALEM CITY, SALEM
TAMIL NADU.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.L.K.CHARLES ALEXANDER Advocate on payment of
necessary charges SR.NO. 8711

CRL OP.13092/2022

Date :08/06/2022

RW-14/06/2022