



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12412 of 2022

1 MALAIYAN [PETITIONERS / ACCUSED]
2 KUTTY
3 POLLIYANCY
4 NASI
5 SIVA KUMAR
6 SUMATHI

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
ELAGIRI POLICE STATION,
ELAGIRI HILLS, THIRUPATTUR DISTRICT.
(CR.NO.7 OF 2022)

For Petitioner : M/S.A.P.SATHYAMURTHY Advocate

For Respondent : MR.V.MEGANATHAN, Govt. Advocate (Cr1. Side)

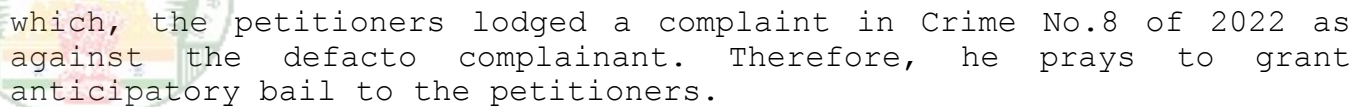
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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, 447, 294(b), 323, 324, 506(ii), 427 of IPC read with 4 of TNWH Act in Crime No.7 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that there was a quarrel between the petitioners and the defacto complainant regarding land dispute and it is alleged that the petitioners assaulted the defacto complainant and also abused him in unparliamentary words. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that originally the defacto complainant assaulted the petitioners for



5. Considering the above fact and circumstances of the case and also considering the fact that there is a case in counter, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

[a] 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 not tamper with evidence or witness 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 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].



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

WEB COPY

-sd/-

26/05/2022

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,
NO.III, THIRUPATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ELAGIRI POLICE STATION, ELAGIRI HILLS,
THIRUPATTUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.A.P.SATHYAMURTHY Advocate on payment of necessary charges SR.No.7953

CRL OP.12412/2022

Date :26/05/2022

CSK 31/05/2022