



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.13157 of 2022

KARUNANITHI

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
INSPECTOR OF POLICE,
VOIMEDU POLICE STATION,
NAGAPATTINAM DISTRICT
CRIME NO.39 OF 2022.

[RESPONDENT]

For Petitioner : M/S.N.MANOKARAN 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 petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 448, 427, 506(ii) IPC altered to Sections 294(b), 323, 448, 427, 506(ii) and 306 I.P.C in Cr.No.39 of 2022 on the file of respondent police seeks anticipatory bail.

2. Due to property dispute the petitioner along with others alleged to have demolished the building, in which the deceased Bhavani was residing. The said aggression has led Bhavani to commit suicide. This incident led to registration of a case in Crime No.39 of 2022 for the alleged offences under sections 294 (b), 323, 448, 427, 506 (ii) of IPC altered to 294 (b), 323, 448, 427, 506 (ii), and 306 of IPC.



3. This petitioner herein arrayed as A3, twice this petitioner moved this Court earlier for anticipatory bail which this Court found not tenable and dismissed. Again this petitioner has moved anticipatory bail petition which indicates that the respondent police not inclined to arrest the petitioner or the presence of the petitioner is not required for the further investigation. In any event, the inaction of the respondent herein forced this Court. Hence, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned District Munsif Cum Judicial Magistrate, Vedaranyam on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only), with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioner 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 petitioner 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 petitioner shall report before the learned District Munsif Cum Judicial Magistrate, Vedaranyam every Monday at 10.30 a.m until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

WEB COPY

-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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VEDARANYAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM DISTRICT. [FOR INFORMATION]

3 INSPECTOR OF POLICE,
VOIMEDU POLICE STATION,
NAGAPATTINAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.N.MANOKARAN Advocate on payment of necessary charges SR.NO. 8686

CRL OP.13157/2022

Date :08/06/2022

RW-14/06/2022