



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Twenty Seventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12737 of 2022

1 DEVADOSS [ PETITIONERS / ACCUSED ]  
2 CHANDRU  
3 VICKY @ VIGNESHWARAN  
4 GIRIDHARAN  
5 RAMESH  
6 SURESH

Vs

THE INSPECTOR OF POLICE [ RESPONDENT ]  
MANAVALA NAGAR POLICE STATION,  
THIRUVALLUR DISTRICT  
(CRIME NO.115/2022)

For Petitioner : M/S.M.JAIKUMAR Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate ( Crl. Side)  
Assisted by M/S.R.S.NIRANJAN, 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, 148, 294(b), 323, 324 and 506(ii) IPC in Crime No.115 of 2022, seek anticipatory bail.

2. The case of the prosecution is that a wordy quarrel arose between the petitioners and the defacto complainant, during which the petitioners abused the defacto complainant in filthy language and assaulted him and threatened him with dire consequences. 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 would further submit that there was a dispute between the petitioners and the defacto complainant for conducting temple festival, due to which the defacto complainant assaulted the petitioners and a complaint was registered in Crime No.116 of 2022 as against the defacto complainant. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that it is a case in counter and the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. 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 No.II, Tiruvallur, on condition that the petitioners shall each execute a 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[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.

[b] the petitioners shall appear before the respondent police as and when required for interrogation.

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

[d] the petitioners 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 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/-

27/05/2022

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.II, TIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE  
MANAVALA NAGAR POLICE STATION,  
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.M.JAIKUMAR Advocate on payment of necessary charges  
SR.NO. 8052

CRL OP.12737/2022

Date :27/05/2022

RW-31/05/2022