



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRIMINAL ORIGINAL PETITION No.12913 of 2022

1 GOKUL [PETITIONERS/ ACCUSED]
2 SURESH

Vs

THE INSPECTOR OF POLICE [RESPONDENT]
PALLIKONDA POLICE STATION,
VELLORE DISTRICT.
(CR.NO.138 OF 2022)

For Petitioner : M/S.B.THIYAGARAJAN Advocate

For Respondent : MR. A.GOKULAKRISHNAN, Additional Public Prosecutor

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

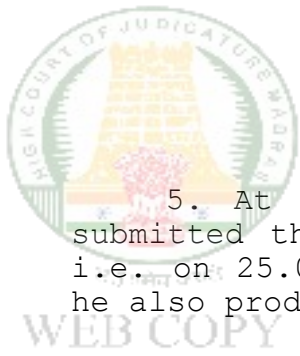
ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 324 and 392 of IPC in Crime No.138 of 2022, and they have filed this petition seeking for anticipatory bail.

2.The case of the prosecution is that on 25.04.2022 at about 4 p.m., the petitioners along with other accused, waylaid the defacto complainant and snatched a sum of Rs.20,000/- and 2 sovereigns of gold chain from him. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are Social Activists. Since they objected the movements of cattle in the trucks, at the instance of the cattle owners, the case has been foisted against the petitioners. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that apart from this case, the petitioners are also involved in two other cases in Crime Nos.136 of 2022 and 137 of 2022. Hence, he opposed to grant anticipatory bail to the petitioners.



5. At this juncture, the learned counsel for the petitioners submitted that all the three cases were registered on the same day i.e. on 25.04.2022 at 3.30 p.m, 3.45.p.m and 4.p.m respectively and he also produced the FIRs of all the three cases.

6. Considering the manner in which all the three cases have been registered on the same day in the interval of about 15 minutes with similar nature of allegations, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions.

7. Accordingly, this Criminal Original Petition is allowed. 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 of receipt of a copy of this order, before the learned Judicial Magistrate-V, Vellore, on condition that each of the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before respondent police daily at 10.30 a.m, until further orders.

[c]the petitioners shall not tamper with the 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 is 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-

01/06/2022

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.V, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
PALLIKONDA POLICE STATION,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.B.THIYAGARAJAN Advocate on payment of necessary charges SR.No.8428

CRL OP.12913/2022

Date :01/06/2022

CSK 03/06/2022