



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.12962 of 2022

1 RAMAR @ RAMAN [PETITIONERS/ ACCUSED]
2 CHINNAPAIYAN @ MUNUSAMY
3 RAJENDIRAN

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE
POLUR POLICE STATION,
TIRUVANNAMALAI DISTRICT.
(CRIME NO.211/2022)

For Petitioner : M/S.E.SATHIYARAJ Advocate

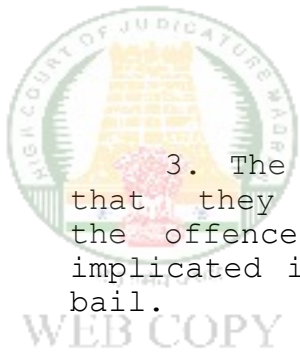
For Respondent : MR. A.GOKULAKRISHNAN, Additional Public Prosecutor

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 alleged offences under Sections 304(2) of I.P.C. r/w Sec.11(1)(a) of Prevention of Cruelty of Animal Act, 1960 in Crime No.211 of 2022, and they have filed this petition seeking for anticipatory bail.

2. The case of the prosecution is that on 22.05.2022, during Maadu Vidum festival conducted by village people in Kaliyam Village, one Annadurai, defacto complainant's husband was gored by a bull, thereby, he sustained grievous injuries and subsequently, he died. In the said circumstances, wife of deceased lodged a complaint and the criminal case has been registered against the petitioners . Now apprehending arrest, the present petition has been filed by the petitioners.



3. The learned counsel appearing for the petitioners submitted that they are innocent persons and they are no way connected with the offence. He would also submit that they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that during procession of village festival, when the husband of defacto complainant was watching the festival, he was gored by a bull, and he has sustained grievous injuries and subsequently he died. He would submit that there is no previous case pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts and circumstances and the fact that no previous case is pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.

6. 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, Polur, Tiruvannamalai District 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]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 as and when required for interrogation.

[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 are 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,
POLUR, TIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 INSPECTOR OF POLICE
POLUR POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.E.SATHIYARAJ Advocate on payment of necessary charges SR.No.8321

CRL OP.12962/2022

Date :01/06/2022

CSK 03/06/2022