



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13018 of 2022

1 PALANISAMY [PETITIONERS / ACCUSED]
2 SOUNDARAPANDIYAN
3 MAHALINGAM
4 SENTHURAPANDIAN

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE
CHEYUR POLICE STATION,
TIRUPPUR DISTRICT
(CRIME NO.150 OF 2022)

For Petitioners : M/S.M.VIJAYA RAGAVAN Advocate

For Respondent : The Additional public Prosecutor

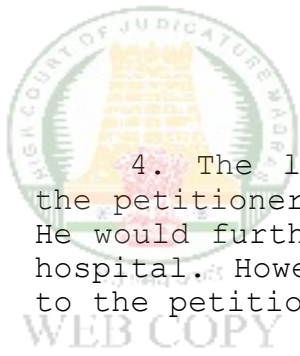
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 448, 294 (b), 324 and 506 (ii) of I.P.C in Crime No.150 of 2022, seek anticipatory bail.

2. The case of the prosecution is that there was a quarrel between the petitioners and the defacto complainant regarding the ownership of the land and it is alleged that the petitioners assaulted the defacto complainant with wooden log and also 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 had not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor would submit that the petitioners attacked the defacto complainant and caused injuries. He would further submit that 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 the victim discharged from the 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 Judicial Magistrate Court, Avinashi, Tiruppur District, on condition that the each of the petitioners shall 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 stay at Salem and report before the Inspector of Police, Asthampati Police Station, daily morning at 10.30 a.m. and evening at 5.00 p.m. for a period of two weeks and thereafter report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter 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 petitioner 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.

-sd/-
08/06/2022

WEB COPY

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,
AVINASHI, TIRUPPUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
CHEYUR POLICE STATION,
TIRUPPUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
ASTHAMPATI POLICE STATION, SALEM.

+1 CC to M/S.M.VIJAYA RAGAVAN Advocate on payment of necessary charges SR.NO.8658

CRL OP.13018/2022

Date :08/06/2022

JPA 10/06/2022