



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Tenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13241 of 2022

CHALI GRINNELL

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
AUROVILLE POLICE STATION,
VILLUPURAM DISTRICT.
(CRIME NO.134/2022)

[RESPONDENT]

For Petitioner : M/S M.GURUPRASAD Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 452, 341, 353, 465, 506(1) of IPC and Section 66, 66C, 66D of Information Technology Act, 2000, in Crime No.134 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Totally there are six accused in this case. The petitioner herein is arrayed as A6. The case of the prosecution is that the petitioners are residents and members of Auroville Foundation and it is alleged that some of residents organised an illegal voting to expel four members of the working Committee. While on 11.05.2022, the election had taken place, in which, the petitioner 6 has been re-elected. The working committee have some grievance against the newly elected members and the under Secretary of the Foundation had joined hands and lodged a false complaint against the petitioner as if the petitioner has entered into the main town hall and defaced the place as well as deleted the posted materials in the website of the said Society. Hence, the complaint.



3. The learned counsel for the petitioner would submit that the petitioner are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that there is no prima facie evidence to show that the petitioner has committed the offences under which he has been allegedly charged. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the working committee splitted as two groups namely Auroville Foundation Supportive groups and Auroville Foundation against groups belongs to the petitioner. He would further submit that the case is under investigation and if the petitioner is released on anticipatory bail, he will abscond and that he will tamper with the evidences and threaten the witnesses. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also considering that custodial interrogation of the petitioner is not required, if the petitioner co-operate in the investigation without tampering the evidence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate Court, Vanur, on condition that the petitioner 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 petitioner 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 petitioner shall report before the respondent police as and when required for interrogation.

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

[d] the petitioner 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

10/06/2022

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,
VANUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
AUROVILLE POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S M.GURUPRASAD Advocate on payment of necessary charges

CRL OP.13241/2022

Date :10/06/2022

CSK 17/06/2022