



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Third day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.14450 of 2022

1 UMAMAGESWARI
2 SARAVANAN
3 UDAYAKUMAR
4 SIVAKUMAR
5 E.SATHISH KUMAR
6 G.MADHANKUMAR

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
GUDUVANCHERRY POLICE STATION,
CHENGALPATTU DISTRICT.
(IN CRIME NO.319/2021)

[RESPONDENT]

For Petitioner : M/S.V.S.GOPU 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 petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 324, 366, 387, 427 & 506(ii) of IPC in Crime No. 319 of 2021, seek anticipatory bail.

2. The alleged occurrence took place on 01.03.2021. But the complaint was lodged on 09.03.2021 and the same has been registered on 28.04.2021.

3. The case of the prosecution is that the de-facto complainant and the 2nd petitioner are father and son. Already there was a enmity between the 2nd petitioner and the de-facto complainant's daughter due to property disputes. The petitioners are alleged to have kidnapped the de-facto complainant and grabbed 80 sovereigns of gold ornaments, Rs.2,00,000/- cash and conveyed some of the properties to the 1st petitioner's name. Hence, the complaint.



4. The complaint has been registered on 28.04.2021 for the alleged occurrence took place on 01.03.2021. Thereafter, the de-facto complainant was also murdered by the accused persons in which they were granted bail.

WEB COPY

5. Considering the above fact and circumstances of the case, 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, Chengalpet, on condition that each of the petitioners shall execute a separate 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 report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m. for a period of four 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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

23/06/2022

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.II, CHENGALPET

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
GUDUVANCHERRY POLICE STATION,
CHENGALPATTU DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.V.S.GOPU Advocate on payment of necessary charges
SR.NO.9802

CRL OP.14450/2022

Date :23/06/2022

RVR 29/06/2022