



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14549 of 2022

1 K.CHINNA @ SELVAM [PETITIONERS / ACCUSED]
2 K.SETHU RAMAN
3 SASI KUMAR
4 KAMALAKANNAN
5 K.SETTU
6 M.PRAKASH
7 MAYAKANNAN
8 SUNDHARESAN

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
ARIYOOR POLICE STATION,
VELLORE DISTRICT
CRIME NO.117 OF 2022.

For Petitioner : M/S.M.R.THANGAVEL Advocate

For Respondent : M/S.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, 448, 427, 294(b), 323, 324, 307, 506(ii) IPC in Crime No.117 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, there arose a wordy quarrel between the petitioners and the defacto complainant, in which the petitioners assaulted the defacto



complainant and his family members. In the said attack, the defacto complainant and his family members sustained injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that there is a case in counter registered as against the defacto complainant and that accused/A3 was arrested and released on bail by this Court. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners have attacked the defacto complainant and his family members and caused injuries. He would further submit that six persons were injured, out of which five persons have been treated as out patient and discharged from the hospital however, one injured person is still in the hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and that accused/A3 has been already arrested and released on bail, 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-1, Vellore, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 Kalpakam and report before the Kalpakam Police Station daily at 10.30 a.m and 5.30 p.m for a period of two weeks and thereafter report before the respondent police daily at 10.30 a.m. until further orders.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

29/06/2022

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.I, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

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

4 THE OFFICER INCHARGE,
KALPAKAM POLICE STATION,
KALPAKAM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.ANBU Advocate on payment of necessary charges
SR.NO. 10282

CRL OP.14549/2022

Date :29/06/2022

RW-05/07/2022