



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the First day of July Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15185 of 2022

1 M.JEMINI
2 SATHISHKUMAR
3 S.REVATHI
4 J.PALANIYAMMAL

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
VALAPPADY POLICE STATION,
SALEM DISTRICT.
CRIME NO.330 OF 2022

[RESPONDENT]

For Petitioners : M/S.S.SENTHILVEL 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 under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC altered into Sections 147, 148, 294(b), 323, 307 & 506(ii) of IPC, in Crime No.330 of 2022 seeks anticipatory bail.

2. The case of the prosecution is that, the defacto complainant's grandfather had a property of 2 acre and 70 cent and the same was equally divided into four shares, for which, the defacto complainant's uncle quarrelled with the defacto complainant before eight months. In respect of the same, a complaint was also lodged by the said uncle. While being so, on 23.05.2022, when the defacto complainant was proceeding to his street, at that time, the said uncle and two others ie., Sathishkumar and Mageswaran quarrelled with the defacto complainant. On 24.05.2022, at about 6.00 p.m., the defacto complainant's another uncle and the brother of the defacto complainant



took photos of the house. At that time, the defacto complainant's uncles had attacked the defacto complainant and his bother. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they are no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that earlier this Court dismissed the petitioner's anticipatory bail petition in Crl.O.P.No.13901 of 2022 dated 16.06.2022 and further submitted that the injured victim has been discharged from the hospital on 27.05.2022. However, he opposed to grant anticipatory bail to the petitioners.

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, Vazapadi, Salem District on condition that the petitioners shall execute 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 daily at 10.30 a.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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
01/07/2022

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,
VAZAPADI, SALEM DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VALAPPADY POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.SENTHILVEL Advocate on payment of necessary charges SR.NO.10518

CRL OP.15185/2022

Date :01/07/2022

JPA 06/07/2022