

In the Court of Principal District and Sessions Judge, Tiruvannamalai.

Present: Selvi M.K. Jamuna, M.L.,
Principal District and Sessions Judge,
Tiruvannamalai.

Wednesday, the 12th day of October 2022

CrI. M.P. No. 2884/2022
CNR.No.TNTM010051802022

1. Vijaya Bharat, aged 22, S/o Venkatesan
2. Jayaganesh, aged 23, S/o Elumalai
3. Manoj kumar, aged 19, S/o Murugan ... Petitioners/Accused
/Vs/

State through
Inspector of Police, Kadaladi Police Station.,
Cr.No.95/2021 ... Respondent/Complainant

This petition is coming before me on this day for hearing in the presence of Thiru. S.L.Babu, Advocate for the petitioners and of Thiru. K.V. Manoharan, Public Prosecutor for the State and after hearing the arguments of either side and on perusal of available records, this court passed the following....

ORDER

Petition filed U/s. 438 Cr.P.C. Petitioners/Accused pray to grant them anticipatory bail for the offences punishable U/s. 147,148, 294(b),323,324,506(ii) IPC and section 4 of W.H. Act in Cr.No.95/2021 of respondent police.

The learned Counsel for the petitioners/Accused stated that they are innocents of any offences as alleged by the respondent, the injured persons discharged from the hospital, the investigation is almost over, the co-accused already enlarged on bail, they are ready to abide any condition imposed by this court, they hereby undertakes that they will not abscond and will not tamper any witness and that the petitioners apprehends for arrest and they pray for anticipatory bail.

The Learned Public Prosecutor for the State vehemently raised objection for granting anticipatory bail to the petitioners/accused by stating that the petitioners/accused formed unlawful assembly armed with deadly weapon and abused the defacto complainant in filthy language and they assaulted him, and threatened him with dire consequences. However, he has conceded that the injured was discharged from the hospital and co-accused already enlarged on bail.

Heard Both sides. Records perused. 147,148,294(b),323,324,506(ii) IPC and section 4 of W.H. Act. Considering the facts that the injured has already been discharged from the

hospital and co-accused already enlarged on bail, as stated by the learned Public Prosecutor and there is no specific overtact as against the petitioners/accused and upon considering the facts and circumstances of the case, this Court inclines to grant anticipatory bail to the petitioners/accused with condition.

Anticipatory Bail is granted to the petitioners/accused on strict compliance of the following conditions.

1. The petitioners/ accused shall in the event of arrest by the respondent police or their surrender before the **learned District Munsif cum Judicial Magistrate, Kalasapakkam** within 15 days from the date of this order, be released on bail on their executing a own bond each for a sum of Rs. 10,000/- with two sureties each for a like sum of the satisfaction of the **learned District Munsif cum Judicial Magistrate, Kalasapakkam.**

2. The petitioners/Accused are directed to appear and sign before the respondent Police station daily at 10.00 a.m. for a continuous Period of 30 days.

3. The petitioners/Accused shall not directly or indirectly make any inducement threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

4. The Petitioners/Accused shall make themselves available for interrogation by the police officer as and when required.

5. The petitioners/Accused shall not tamper with evidence or witness either during investigation or trial.

6. The petitioners/Accused shall not abscond either during investigation or trial.

7. The petitioners/Accused shall not leave the town without prior permission of the Court.

Pronounced by me in open Court on this the 12th day of October 2022.

Sd/- M.K.Jamuna

Principal District and Sessions Judge,
Tiruvannamalai.

Copy to

The learned District Munsif cum Judicial Magistrate, Kalasapakkam

The Public Prosecutor, Tiruvannamalai.

The Inspector of Police, Kadaladi PS.,

Thiru.S.L.Babu, Advocate for the petitioners.