

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,  
PERAMBALUR.**

**Present: Tmt.S. Subadevi, B.A., B.L.,M.B.A.,  
Principal District and Sessions Judge,  
Perambalur.**

**Friday, this the 12<sup>th</sup> day of June, 2020.**

**E. Bail No.134/2020.**

Deputy Superintendent of Police,  
Perambalur Division,  
Padalur P.S.  
Cr.No.805/2020.

... Petitioner/Complainant.

-vs-

1. Dhanapal  
2. Prabhu  
3. Sankar  
4. Kumar.

... Respondents/Accused.

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This petition coming on this day before me for order in the form of e-bail by the Special Public Prosecutor for the State, upon perusing the petition and other records, this Court has delivered the following...

**ORDER**

This petition has been filed U/s 439(2) of Cr.P.C. for cancellation of bail.

The petitioner has stated that initially the case has been registered u/S.294(b), 307, 506(ii) IPC and the injured was taking treatment at Trichy Government Hospital as inpatient. The injured was died on 01.06.2020, the sections were altered into u/S.294(b), 506(ii), 302 IPC and after investigation the the investigation agency had came to know that the deceased was a Scheduled Caste community, again the sections were altered into u/S.294(b), 506(ii), 302 IPC r/w 3(1)(r) and 3(1)(s) SC/ST (PoA) Act, 1989. On 05.06.2020, the 3<sup>rd</sup> accused got bail and he has not mentioned the

section alteration. The objection was not filed in time. The accused is improve his health condition. After the death of the deceased, communal problem will arose in the village therefore, the bail may be cancelled.

Notice given to the defacto complainant and accused/accused wife.

The defacto complainant and the accused wife also present. The defacto complainant stated that if the petition is not allowed, threat will be made and communal clash will be arose. The accused wife has stated that the accused took treatment in Government Hospital at Trichy and she has not connected with him for the past two years and she has not engaged any Counsel.

This Court has issued summons to the accused and he mentioned in the summon that the cancellation bail has been preferred by the learned Special Public Prosecutor and his wife has appeared and she has not given any reason, the chances are there that the bail petition may be dismissed and I engaged the Advocate and taking legal remedies.

On perusal of the records, the case has been initially registered for the offences u/S.294(b), 307, 506(ii) IPC. The letter has been received through prison Authorities due to the reason of admitting hospital by the 3<sup>rd</sup> accused. After receiving the letter from the prison in that letter the prison Authority has mentioned that he was admitted earlier in Perambalur and for further treatment he has taken to Trichy G.H. reason for heart attack. Based on that receiving petition, this Court has directed to the Secretary of DLSA, Perambalur for taking necessary action. An Advocate was appointed through DLSA and filed an application for bail for the offence u/S. 294(b),

307, 506(ii) IPC. The notice has been given to the learned Special Public Prosecutor and till 03.15 p.m., reply was not received hence this Court granting bail on considering the health condition of the accused.

Now the petitioner has come forwarded for cancellation of E.Bail No.126/2020, dated 05.06.2020 that the section has been altered u/Ss.294(b), 506(ii), 302 IPC r/w 3(1)(r) and 3(1)(s) SC/ST (PoA) Act, 1989. The section was altered, Section Alteration Report has been filed by the Inspector of Police before the Judicial Magistrate and the same has been received by this Court on the same day, the petitioner has filed this petition. Considering the arguments of the learned Special Public Prosecutor and the opinion of the defacto complainant, this Court was ordered that the bail application in E.Bail No.126/2020, dated 05.06.2020 will be cancelled and this petition is allowed.

In result, this petition is allowed. E.Bail No.126/2020, dated 05.06.2020 will be cancelled.

Pronounced by me through email, this the 12<sup>th</sup> day of June, 2020.



  
Principal District and Sessions Judge,  
Perambalur.

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,  
PERAMBALUR.**

**Present: Tmt.S.Subadevi, B.A., B.L., M.B.A,  
Principal District and Sessions Judge,  
Perambalur.**

**Friday, this the 12<sup>th</sup> day of June, 2020.**

**E. Bail No.136/2020.**

Krishnan, 52/20,  
S/o.Venugopal,  
Eroyasamuthiram Village,  
Perambalur Taluk & District.

... Petitioners/Accused.

-vs-

Represented by the Inspector of Police,  
Maruvathur P.S.  
Cr.No.760/2020.  
Offence U/S. 379 IPC.

... Respondent/Complainant.

\* \* \* \* \*

This petition coming on this day before me for order in the form of e-bail by Thiru.S.Arunan, Advocate for the petitioners and of the Public Prosecutor for the State and upon perusing the petition and reply, this Court has delivered the following...

**ORDER**

This petition has been filed U/s 438 of Cr.P.C. for grant of anticipatory bail to the petitioners for the offence U/S.379 IPC.

The learned Counsel for the petitioner submitted that the alleged date of occurrence was on 26.05.2020 and FIR was registered on 27.05.2020 and there is no such occurrence took place as alleged by the complainant and the co-accused were released on bail by the lower Court on 08.06.2020 and a false case was registered

against the petitioner by the defacto complainant and he has not committed any such offence and if he is released on anticipatory bail, he will ready to furnish sufficient sureties and to abide the conditions which are imposed by this Court and he has undertake to pay the necessary court fees after regular functioning of the court and he has not filed any anticipatory bail application before the Hon'ble High Court of Madras and hence the accused are entitled for anticipatory bail.

The learned Public Prosecutor has stated that the accused A1 and A2 were already arrested and remanded on 27.05.2020 and they are released on bail by the lower court, the investigation is not yet completed and if he is released on anticipatory bail, he may tamper the witnesses and strongly opposed for granting anticipatory bail.

On perusal of the records, the case has been registered u/S.379 IPC and the petitioner is the owner of the lorry, without document they are thefted the gravel. The lorry driver is already released on bail by the lower court. Considering the facts, there is no question of tampering the witnesses are official hence this Court granting anticipatory bail on conditions:

(i) that the petitioner/accused shall in the event of his arrest or surrender before the learned Judicial Magistrate No.II, Perambalur concerned be released on anticipatory bail on executing a bond for Rs.25,000/- with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Perambalur.

(ii) that the petitioner/accused shall appear and sign before the respondent police daily once at 10.00 a.m. until further orders;

(iii) that the petitioner/accused shall not, directly or indirectly interfere in the investigation in any way,

(iv) that the petitioner/accused shall surrender before the learned Judicial Magistrate No.II, Perambalur on or before 18.06.2020 or else the anticipatory bail granted to him shall stand automatically cancel.

Pronounced by me through mail, this the 12<sup>th</sup> day of June, 2020.



*12/6/2020*  
Principal District and Sessions Judge,  
Perambalur.

**COPY TO:**

- D.No  
2443  
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1. The Judicial Magistrate No.II, Perambalur.
  2. The Public Prosecutor, Perambalur.
  3. The Sub- Inspector of Police, Maruvathur P.S.
  4. The Advocate for the petitioner.

12/6/2020

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,  
PERAMBALUR.**

**Present: Tmt.S.Subadevi, B.A., B.L., M.B.A,  
Principal District and Sessions Judge,  
Perambalur.**

**Friday, this the 12<sup>th</sup> day of June, 2020.**

**E. Bail No.140/2020.**

1. Rajendran, 55/2020,  
S/o.Kuzhanthaivel.

3. Vijayakumar, 47/2020,  
S/o.Kuzhanthaivel.  
Both are residing at  
Pasumbalur Village,  
Veppanthattai Taluk,  
Perambalur District.

... Petitioners/Accused.

-vs-

Represented by the Inspector of Police,  
V.Kalathur P.S.

Cr.No.257/2020.

Offences U/Ss.147, 294(b), 324 & 506(ii) IPC.

... Respondent/Complainant.

\* \* \* \* \*

This petition coming on this day before me for order in the form of e-bail by Thiru.S.Arunan, Advocate for the petitioners and of the Public Prosecutor for the State and upon perusing the petition and reply, this Court has delivered the following...

**ORDER**

This petition has been filed U/s 438 of Cr.P.C. for grant of anticipatory bail to the petitioners for the offences U/S.147, 294(b), 324 & 506(ii) IPC.

The learned Counsel for the petitioners stated that the alleged date of occurrence was on 14.05.2020 and it is a civil dispute between the petitioners family and the defacto complainant's family and due to that the defacto complainant falsely

preferred this complaint against the petitioners and there is no prima facie case is made out against the petitioners. He would further submit that earlier two anticipatory bail applications were dismissed by this Court in E.Bail No.101/2020 dated 28.05.2020 and E.Bail No.110/2020 dated 03.06.2020 and the injured was discharged from the hospital and the co-accused were released on anticipatory bail and also accused in counter case was released by this Court and the petitioners to undertake to pay the necessary Court fees after regular functioning of the Court and no other similar anticipatory bail application is filed before any other Court including the Hon'ble High Court of Madras and that if they are released on anticipatory bail, they are ready to obey the conditions which are imposed by this Court and furnish sufficient sureties on their bail and that they will not abscond or evade the trial and hence the accused are entitled for anticipatory bail.

The learned Public Prosecutor has stated that the investigation is not yet completed, A1 and A3 absconded and if anticipatory bail is granted, they may tamper the witnesses and also threaten the defacto complainant. Further he stated that the co-accused and the defacto complainant were already released on bail by this Court.

On perusal of the records, the occurrence took place on 14.05.2020 and the case has been registered u/S. 147, 294(b), 324 & 506(ii) IPC. The objection raised by the learned Public Prosecutor that if they are released on anticipatory bail, they may tamper the witnesses. The defacto complainant discharged from the hospital. Considering the same, this Court granting anticipatory bail on conditions:

(i) that the petitioners/accused shall in the event of their arrest or surrender before the learned Judicial Magistrate, Additional Mahila Court, Perambalur concerned



be released on anticipatory bail on executing a bond for Rs.10,000/- with two sureties each for a like sum each to the satisfaction of the learned Judicial Magistrate, Additional Mahila Court, Perambalur,

(ii) that the petitioners/accused shall appear and sign before the respondent police daily twice at 10.00 a.m. and 05.00 p.m., until further orders,

(iii) that the petitioners/accused shall not, directly or indirectly interfere in the investigation in any way,

(iv) that the petitioners/accused shall surrender before the learned Judicial Magistrate, Additional Mahila Court, Perambalur on or before 17.06.2020 or else the anticipatory bail granted to them shall stand automatically cancel.

Pronounced by me through email, this the 12<sup>th</sup> day of June, 2020.



Principal District and Sessions Judge,  
Perambalur.

D.USD

12/6/2020

COPY TO:

1. The Judicial Magistrate, Additional Mahila Court, Perambalur.
2. The Public Prosecutor, Perambalur.
3. The Inspector of Police, V.Kalathur P.S.
4. The Advocate for the petitioners.

12/6/2020



**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,  
PERAMBALUR.**

**Present: Tmt.S. Subadevi, B.A., B.L.,M.B.A.,  
Principal District and Sessions Judge,  
Perambalur.**

**Friday, this the 12<sup>th</sup> day of June, 2020.**

**E. Bail No.141/2020.**

Sasikumar, 32-20,  
S/o.Ramasamy,  
Navalur Village,  
Attur Taluk, Salem District.

... Petitioner/Accused.

-vs-

Represented by the Inspector of Police,  
V.Kalathur P.S.  
Cr.No.291/2020.  
Offence U/S.25(1) (a) Arms Act.

... Respondent/Complainant.

\* \* \* \* \*

This petition coming on this day before me for order in the form of e-bail by Thiru.S.Arunan, Advocate for the petitioner and the Public Prosecutor for the State and upon perusing the petition and other records, this Court has delivered the following...

**ORDER**

This petition has been filed U/s 439 of Cr.P.C. for grant of bail to the petitioners for the offence U/S.25(1) (a) Arms Act.

The learned Counsel for the petitioners stated that the alleged date of occurrence on 07.06.2020 and FIR was registered on the same day and the petitioner/accused was remanded on 07.06.2020 and he has not committed the offence and the case has been falsely registered against the petitioner by the respondent

police and he is an agriculturist and having periodical medical check up for his illness and if he is released on bail, he will ready to furnish sufficient sureties and he will abide the conditions which are imposed by this Court and he will not abscond or tamper the witness or evade justice in any manner and undertake to pay the necessary Court fee at the time regular functioning of the Court and he has not filed any bail application before the Hon'ble High Court of Madras and hence the accused is seeking for bail.

The learned Public Prosecutor has stated that the 1<sup>st</sup> petitioner has possessed the country gun without licence and A2 was abscond from the spot if bail is granted, he may tamper the witnesses and strongly opposed for granting bail.

On perusal of the records, the Sub-Inspector of Police, V.Kalathur P.S. has routine check up on 07.06.2020, the petitioner and another saw the police, they tried to escape from the place and fell down nearby land. One person has been escaped from the place and another one has sustained injury and the police has been arrested and remanded. The petitioner possess the country gun without license. The other accused absconded. The learned Public Prosecutor has strongly object that if he released on bail, he may be tamper the witnesses. There is no question of tampering the witness that the complainant is Sub-Inspector of Police. The petitioner is in the District of Salem if bail is granted, he may be absconded and hurdle in the investigation hence this petition is dismissed.

Pronounced by me through email, this the 12<sup>th</sup> day of June, 2020.



*(Signature)* 2/6/2020  
Principal District and Sessions Judge,  
Perambalur.