

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Twenty Third day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P. RAJAMANICKAM

CRIMINAL ORIGINAL PETITION No.13656 of 2018

VADIVELU

[ PETITIONER / ACCUSED ]

Vs

STATE REPRESENTED BY

[ RESPONDENT ]

THE INSPECTOR OF POLICE,  
C-1, FLOWER BAZAAR POLICE STATION,  
CHENNAI. CR.NO.332/2018

For Petitioner : M/S.K.PRABAKARAN Advocate

For Respondent : M/S.M.PRABHAVATHI, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 323 and 506(ii) IPC in Crime No.332 of 2018, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel for the petitioner has submitted that due to wordy quarrel, a false case has been foisted against the petitioner and two others. He further submitted that already A1 was arrested and remanded to judicial custody. He further submitted that already this Court has granted anticipatory bail to A3 in CrI.O.P.No.13398 of 2018 and hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent fairly conceded that the defacto complainant has sustained only simple injuries and she has already been discharged from the hospital. She would further submit that this Court has already granted anticipatory bail to A3.

5.Taking into consideration the fact that already A3 was granted anticipatory bail by this Court in CrI.O.P.No.13398 of 2018 and also the fact that, the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned VII Metropolitan Magistrate, George Town, Chennai-1, on condition that the petitioner shall execute a 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) if the petitioner fails to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall not abscond either during investigation or trial.

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]**.

(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-  
23/05/2018

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 VII METROPOLITAN  
MAGISTRATE, GEORGE TOWN, CHENNAI-1.

2 THE CHIEF METROPOLITAN  
MAGISTRATE, EGMORE, CHENNAI.  
[FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
C-1, FLOWER BAZAAR POLICE STATION,  
CHENNAI.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.K.PRABAKARAN Advocate on payment of necessary  
charges in SR.NO. 9356

CRL OP.13656/2018

Date :23/05/2018

MLT-24/05/2018