

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Thirty First day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice N. SATHISH KUMAR

CRIMINAL ORIGINAL PETITION No.14449 of 2018

DEVARAJ,

[ PETITIONER / ACCUSED ]

Vs

STATE REP. BY  
INSPECTOR OF POLICE,  
D-3, ICE HOUSE POLICE STATION,  
CHENNAI. CR.NO. NOT KNOWN OF 2018.

[ RESPONDENT ]

For Petitioner : M/S.M.GOPINATH Advocate

For Respondent : MRS.M.PRABHAVATHI, ADDL. 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 alleged offences punishable under Sections 294(b) and 506(i) of IPC in Crime No.Not known of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that in a quarrel between the petitioner and the defacto complainant, the petitioner is alleged to have assaulted the defacto complainant.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any such offence and the defacto complainant has lodged a false complaint against him.

4. The learned Additional Public Prosecutor submitted that no one sustained injury.

5. Having regard to the nature of allegations against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

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 XIII Metropolitan Magistrate, Egmore, Allikulam, Chennai-600 003, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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]**.

[e] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-  
31/05/2018

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 METROPOLITAN MAGISTRATE,  
NO.XIII, EGMORE, CHENNAI-3.

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

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
D-3, ICE HOUSE POLICE STATION, CHENNAI.

+1 CC to M/S.M.GOPINATH Advocate on payment of necessary charges-Sr.9860

CRL OP.14449/2018

Date :31/05/2018

ths : 05.06.2018