

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.15173 of 2018

N.YUVARAJ NATRAJAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
KANJIKOVIL POLICE STATION,
PERUNDURAI,
ERODE DISTRICT,
CR.NO.102 OF 2018.

[RESPONDENT]

For Petitioner : M/S.M.ARUN Advocate

For Respondent : MR. C.IYYAPPARAJ, ADDL. PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner seeks anticipatory bail in Crime No.102 of 2018 registered by the respondent police for the offence under Sections 294(b), 324 and 506(i) of IPC.

2. The case of the prosecution as per the *defacto* complainant is that due to a family quarrel, the petitioner along with other accused assaulted the *defacto* complainant with iron pipe and caused injuries to him.

3. The learned counsel for the petitioner would submit that the petitioner is the nephew of the *defacto* complainant. He would submit that there was a dispute between the petitioner's father and his uncle, who is the *defacto* complainant, due to which, a false complaint given against him.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner, who is the brother's son of the *defacto* complainant, along with the brother of the *defacto* complainant assaulted the *defacto* complainant, resulting in the *defacto* complainant sustained injuries. He would submit that the injured has been discharged from the hospital.

5. Taking into consideration the facts of the case and the submissions made by the counsels and also taking note of the fact

that the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 Judicial Magistrate, Perundurai, Erode District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, 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 said Magistrate, on further condition that:

[a] if the petitioner failed to surrender before the said Magistrate within a period of fifteen days from the date of receipt of a copy of this order, this Order shall stand automatically cancelled.

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

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

[d] the petitioner 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 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]**.

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

-sd/-
12/06/2018

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 JUDICIAL MAGISTRATE,
PERUNDURAI, ERODE DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
KANJIKOVIL POLICE STATION,
PERUNDURAI, ERODE DISTRICT,
CR.NO.102 OF 2018.

+1 CC to M/S.M.ARUN Advocate on payment of necessary charges
SR.NO. 10619

CRL OP.15173/2018

Date :12/06/2018

RD 19/06/2018