

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Tenth day of July Two Thousand Eighteen

PRESENT

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

CRIMINAL ORIGINAL PETITION No.17391 of 2018

1 MAGA @ MANGALAM
2 SUBRAMANI @ MANI

[PETITIONER / ACCUSED]

Vs

STATE BY
INSPECTOR OF POLICE,
CHEYYAR POLICE STATION,
TIRUVANNAMALAI DISTRICT.
CR.NO.222 OF 2018

[RESPONDENT]

For Petitioner : M/S.N.SUDHARSAN Advocate

For Respondent : MR. M.MOHAMED RIYAZ, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners seek anticipatory bail in Crime No.222 of 2018 registered by the respondent police for the offences punishable under Sections 294(b) and 506(i) of IPC.

2. The case of the prosecution as per the defacto complainant one Seshadri is that due to wordy quarrel, the petitioners abused him with filthy language and also threatened with dire consequences.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the petitioners are willing to abide by any condition that may be imposed on them and hence, they may be granted anticipatory bail.

4. The learned Additional Public Prosecutor would submit that due to wordy quarrel, the petitioners abused the defacto complainant with filthy language and threatened him and that he sustained no injury.

5. Taking into consideration the facts of the case and the submissions made by the counsel on either side, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-II, Chengalpet, on condition that each of 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 said on further condition that:-

[a] if the petitioners fail to surrender before the concerned Magistrate, within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
10/07/2018

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,
NO.II, CHENGALPET.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CHEYYAR POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.N.SUDHARSAN Advocate on payment of necessary
charges in SR.NO. 12643

CRL OP.17391/2018

Date :10/07/2018

MLT-17/07/2018