

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19579 of 2018

BASKARAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
VALAGAIMAN POLICE STATION,
THIRUVARUR DISTRICT.
CR.NO.152 OF 2018.

For Petitioner : M/S.T.MURUGANANTHAM Advocate

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

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 324, 307 and 506(ii) of IPC r/w Section 3(1) of TNPPDL Act in Crime No.152 of 2018 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2.It is the case of the prosecution that due to money dispute, a wordy quarrel arose between the petitioner and the defacto complainant and the petitioner assaulted the defacto complainant. Hence, this case has been registered.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and the petitioner has been falsely implicated in this case. Further, he would submit that the co-accused has already been enlarged on bail.

4.The learned Additional Public Prosecutor would submit that due to money dispute, a wordy quarrel arose between the petitioner and the defacto complainant and the petitioner assaulted the defacto complainant and the investigation is pending.

5.In view of the above, since no specific overtact 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 Judicial Magistrate, Valangaiman on condition that:

(a) 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;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]**; and;

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

सत्यमेव जयते -sd/-
07/08/2018

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,
VALANGAIMAN.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVARUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VALAGAIMAN POLICE STATION,
THIRUVARUR DISTRICT.

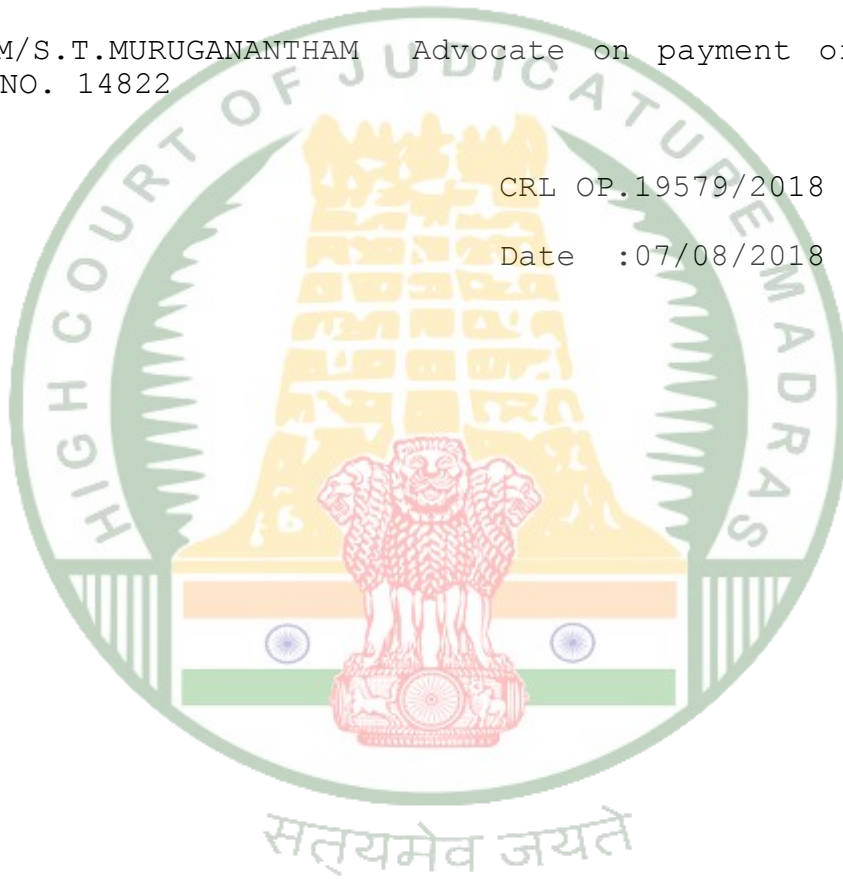
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.T.MURUGANANTHAM Advocate on payment of necessary
charges in SR.NO. 14822

CRL OP.19579/2018

Date :07/08/2018

MLT-11/08/2018



WEB COPY