

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fourteenth day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL ORIGINAL PETITION No.19905 of 2018

1 K.SRIDHAR,
2 K.SHANKAR,

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS
THE SUB-INSPECTOR OF POLICE,
ARAKKONAM TALUK POLICE STATION,
VELLORE DISTRICT.
CR.NO.281 OF 2018.

[RESPONDENT]

For Petitioner : M/S.M.HARIBABU Advocate

For Respondent : MS. KRITIKA KAMAL.P. Govt. Advocate (Crl. Side)

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.281 of 2018 registered by the respondent police for the offence punishable under Sections 294 (b), 341, 324 and 506(ii) of IPC.

2. Heard both sides.

3. The petitioners are arrayed as A1 to A2. The case of the prosecution as per the de-facto complainant is that due to previous enmity, there was some wordy quarrel with the petitioners, A1 assaulted the de-facto complainant with wooden stick on head and A2 attacked with stick on leg of the de-facto complainant.

4. The learned counsel for the petitioners would submit that the de-facto complainant was admitted in the Government Hospital for treatment of his injuries. In the meantime, the petitioners sought permission to grant Anticipatory Bail before this Court, which was dismissed on 03.08.2018 in Crl.O.P.No.19184 of 2018.

5. The learned Government Advocate (Crl. Side) would submit that due to a quarrel, the petitioners had assaulted the de-facto complainant and thereby the de-facto complainant suffered injuries on the head and leg and also she would further submit that she has to get instructions, that the de-facto complainant was discharged from the Government Hospital and he is said to have been taking treatment in a

Private Hospital.

6. Taking into consideration the facts of the case and the submissions made by the learned counsels, I am inclined to grant anticipatory bail to the petitioner.

8. 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, Arakkonam, on condition that the petitioners shall execute a bond for a sum of Rs.5,000/- (Rupees Five 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 said Magistrate, on further condition that:

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

[b] the petitioners shall report before the Arakkonam Taluk, Police Station, Chennai District daily at 10.30 a.m for a period of four weeks without fail.

[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/-
14/08/2018

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,
ARAKKONAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATE REP BY ITS
THE SUB-INSPECTOR OF POLICE,
ARAKKONAM TALUK POLICE STATION,
VELLORE DISTRICT.

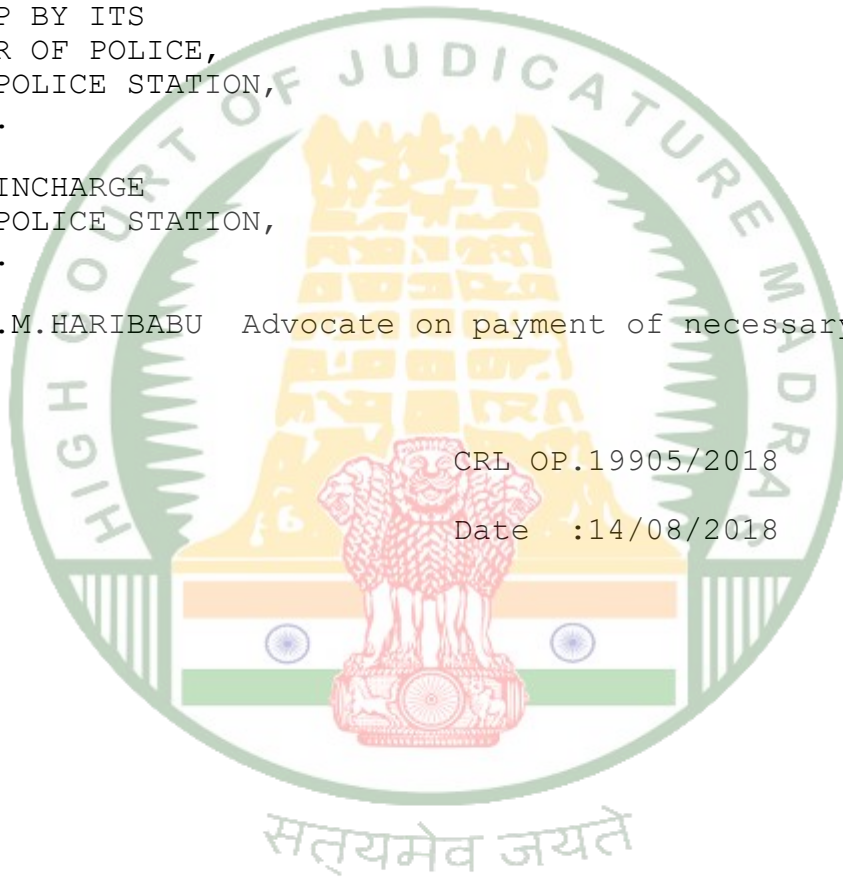
5 THE OFFICER INCHARGE
ARAKKONAM TALUK POLICE STATION,
CHENNAI DISTRICT.

+1 CC to M/S.M.HARIBABU Advocate on payment of necessary
charges-Sr.15258

CRL OP.19905/2018

Date :14/08/2018

ths : 14.08.2018



WEB COPY