

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Sixteenth day of October Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.24596 of 2018

1 J.AJAY [PETITIONERS / ACCUSED]
2 J.ALEX
3 R.VIGNESH KUMAR

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
S-15, SELAIYUR POLICE STATION,
CHENNAI DISTRICT.
CR.NO.505 OF 2018.

For Petitioner : M/S.S.PANNEERSELVAN Advocate

For Respondent : M/S.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, who apprehend arrest for the alleged offence under Sections 294(b), 323, 506(i) IPC in Crime No.505 of 2018 on the file of the respondent police, seek anticipatory bail.

2.Heard both sides.

3.These petitioners are arrayed as A1 to A3. The case of the prosecution is that on 10.10.2018, these petitioners had attempted to assault the defacto complainant and had threatened with dire consequences. There are no serious injuries that has been sustained by the defacto complainant.

4.The learned counsel appearing for the petitioner would submit that the petitioners are innocent and they have been falsely implicated in this case.

5. The learned Government Advocate (Crl.side) would submit that the petitioners are alleged to have assaulted the defacto complainant.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Tambaram, within a period of 15 days from the date of receipt of a copy of this order, on executing a separate 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 conditions that:

[a] if the petitioner fails to surrender before the concerned Magistrate/Court within a period of 15 days, this order shall stand automatically cancelled.

[b] the petitioners 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 petitioners shall report before the respondent police as and when required for interrogation.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness 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 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]**.

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

-sd/-

16/10/2018

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,
TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
S-15, SELAIYUR POLICE STATION,
CHENNAI DISTRICT.

+1 CC to M/S.S.PANNEERSELVAN Advocate on payment of necessary
charges SR.NO. 19548

CRL OP.24596/2018

Date :16/10/2018

TA-23/10/2018



WEB COPY