

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Sixth day of December Two Thousand Eighteen

PRESENT

The Hon'ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.27433 of 2018

S.SELVAM

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE
TIRUPUR NORTH POLICE STATION,
TIRUPPUR DISTRICT
CR.NO.1426 OF 2018.

[RESPONDENT]

For Petitioner : M/S.D.CHANDRASEKAR Advocate

For Respondent : MRS.PRABHAVATHI, ADDL. PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest for the alleged offences under Sections 294(b), 324 and 307 IPC in Crime No.1426 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

3. The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant, due to which, the petitioner and the defacto complainant attacked each other. Hence, the complaint.

4.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he seeks for grant of anticipatory bail to the petitioner.

5.The learned Additional Public Prosecutor would submit that there was a wordy quarrel between the petitioner and the defacto complainant. She further would submit that the defacto complainant did not suffer any injury.

6.Considering the above facts and circumstances, this court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on <https://ic.services.etdms.gov.in/ic-services/> arrest or on his appearance, within a period of

fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Tirupur, on condition that 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.

[b] the petitioner shall report before the respondent police, 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

06/12/2018

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.I, TIRUPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
<https://hcservices.ecourts.gov.in/hcservices/>
TIRUPUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

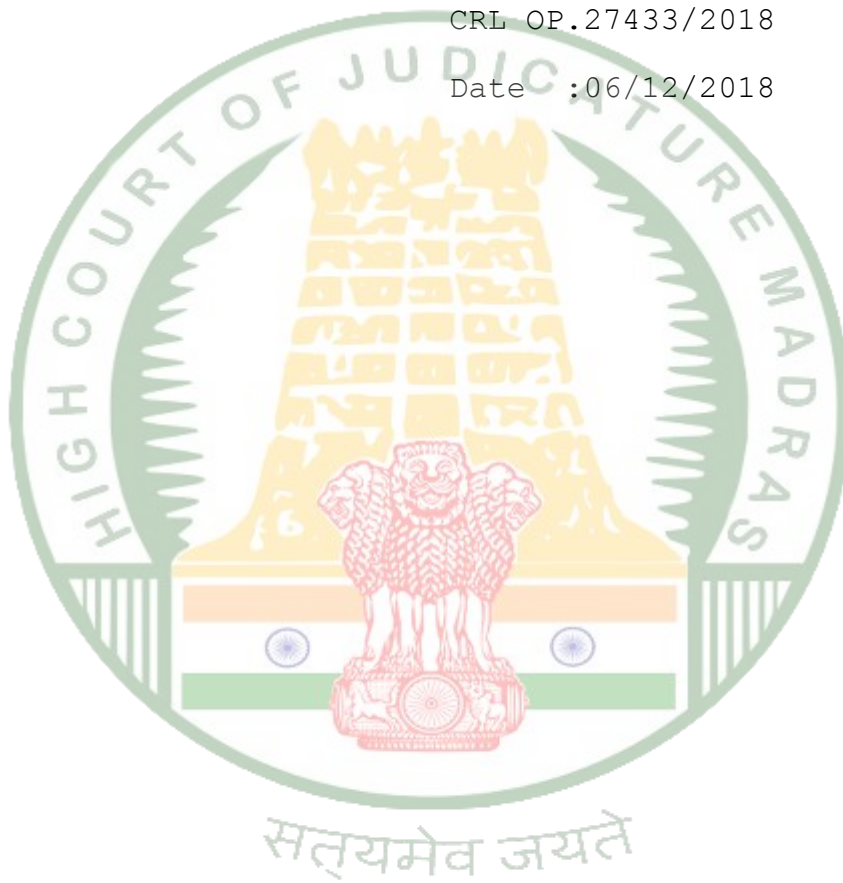
4 THE INSPECTOR OF POLICE
TIRUPUR NORTH POLICE STATION,
TIRUPPUR DISTRICT

+1 CC to M/S.D.CHANDRASEKAR Advocate on payment of necessary
charges-Sr.23394

CRL OP.27433/2018

Date :06/12/2018

ths : 13.12.2018



WEB COPY