

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.2726 of 2019

HARI @ HARI PRASAD

[ PETITIONER / ACCUSED ]

Vs

THE INSPECTOR OF POLICE

[ RESPONDENT ]

P-6 KODUNGAIYUR POLICE STATION,

KODUNGAIYUR, CHENNAI.

CR.NO.117 OF 2019

For Petitioner : M/S.S.PONNIVALAVAN 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 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324 and 506(ii) of IPC in Crime No.117 of 2019 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that this petitioner along with other accused persons went to the house of the defacto complainant and attacked him and his daughter and they sustained injuries and they were admitted to hospital.

3. The learned Additional Public Prosecutor submitted that the injured has already discharged and there are two previous cases against this petitioner.

4. Taking into consideration, the facts and circumstances, this Court is inclined to grant anticipatory bail to this petitioner with certain conditions. 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 on which the order copy made ready, before the learned V Metropolitan Magistrate Court, Egmore, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees five thousand only) each 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

all stand dismissed and on further condition that:

<https://e-cases.mca.gov.in/cases>

[a] 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.

[b] the petitioners shall report before the respondent police daily at 10.30 am, 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 229A IPC.

-sd/-

07/02/2019

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.

सत्यमेव जयते

TO

1 THE METROPOLITAN MAGISTRATE,  
NO.V, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN  
MAGISTRATE, EGMORE, CHENNAI.  
[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE  
P-6 KODUNGAIYUR POLICE STATION,  
KODUNGAIYUR, CHENNAI.

CC to M/S.S.PONNIVALAVAN Advocate on payment of necessary charges

CRL OP.2726/2019

Date :07/02/2019

ths : 11.02.2019



WEB COPY