

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.12948 of 2019

D.PARTHASARATHY

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

INSPECTOR OF POLICE,
P-1, PULIANTHOPE POLICE STATION,
PULIANTHOPE, CHENNI.
CR.NO.NOT KNOWN/2019.

For Petitioner : M/S.C.V.KUMAR Advocate

For Respondent : M/S.S.THANKIRA, Govt. Advocate (Crl. Side)

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 alleged offences under Sections 341 and 506(ii) IPC in Crime No. not known, on the file of the respondent/Police, seeks anticipatory bail.

2.The case of the prosecution is that there was a wordy altercation between the petitioner and the defacto complainant, in respect of the dispute with regard to the drainage line. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the allegations are totally false. He further submits that the petitioner has been falsely implicated in the case. Hence, he prays for grant of Anticipatory Bail to the petitioner.

4.The learned Government Advocate (Criminal side) would submit that an enquiry is pending in C.S.R.No.419 of 2019 against the petitioner. However, she opposed to grant Anticipatory Bail to the petitioners.

5.Considering the facts and circumstances of the case that no injury is sustained by the defacto complainant, this court is inclined to grant anticipatory bail to the 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 X Metropolitan Magistrate, Egmore, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten 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 this petition for anticipatory bail shall stand dismissed and on further conditions 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 thereafter 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 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/-
15/05/2019

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.

TO

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

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

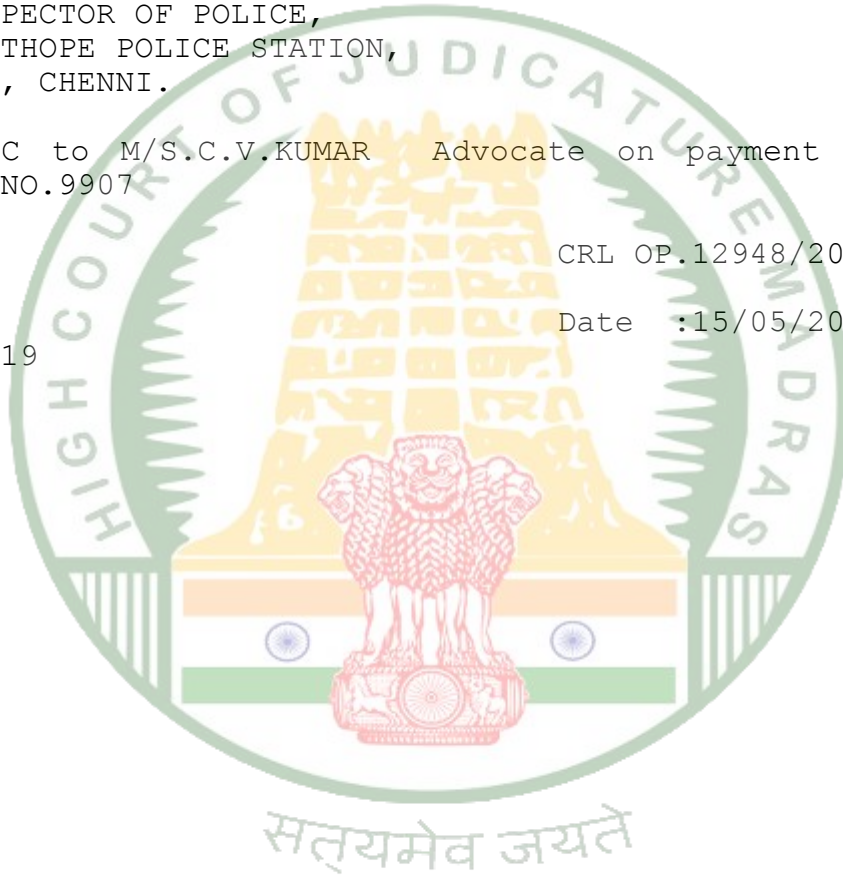
4 THE INSPECTOR OF POLICE,
P-1, PULIANTHOPE POLICE STATION,
PULIANTHOPE, CHENNI.

+1CC to M/S.C.V.KUMAR Advocate on payment of necessary
charges SR NO.9907

CRL OP.12948/2019

Date :15/05/2019

MK:21/05/2019



WEB COPY