

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eighth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.17611 of 2019

THIRUVENGADAM

[PETITIONER / ACCUSED]

Vs

THE STATE OF TAMILNADU [RESPONDENT]
THE INSPECTOR OF POLICE
MANGALAPURAM POLICE STATION, NAMAKKAL
DISTRICT.

For Petitioner : M/S.DEEPAN UDAY Advocate

For Respondent : M/S.M.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 at the hands of the respondent police for the offences punishable under Sections 294 (b), 324 and 506(i) IPC in Crime No.71 of 2019, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is working in Velanmai Kooturavu Bank as a clerk and the petitioner is working as a secretary in the same place. When the petitioner asked him to go JR office which is located in namakkal, the defacto complainant asked bus charges to go, the secretary/petitioner used filthy language and attacked the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the case of the prosecution against the petitioner is totally false and the petitioner is not involved in any of the said act which is mentioned in the FIR. Therefore, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the dispute between the co-workers and the victim has been discharged. However, she vehemently opposed to grant anticipatory bail to the petitioner.

5.Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Judicial Magistrate Rasipuram, Namakkal District 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 daily at 10.30 a.m., for a period of two weeks and 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 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/-

08/07/2019

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 JUDICIAL MAGISTRATE,
RASIPURAM, NAMAKKAL DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
MANGALAPURAM POLICE STATION, NAMAKKAL DISTRICT.

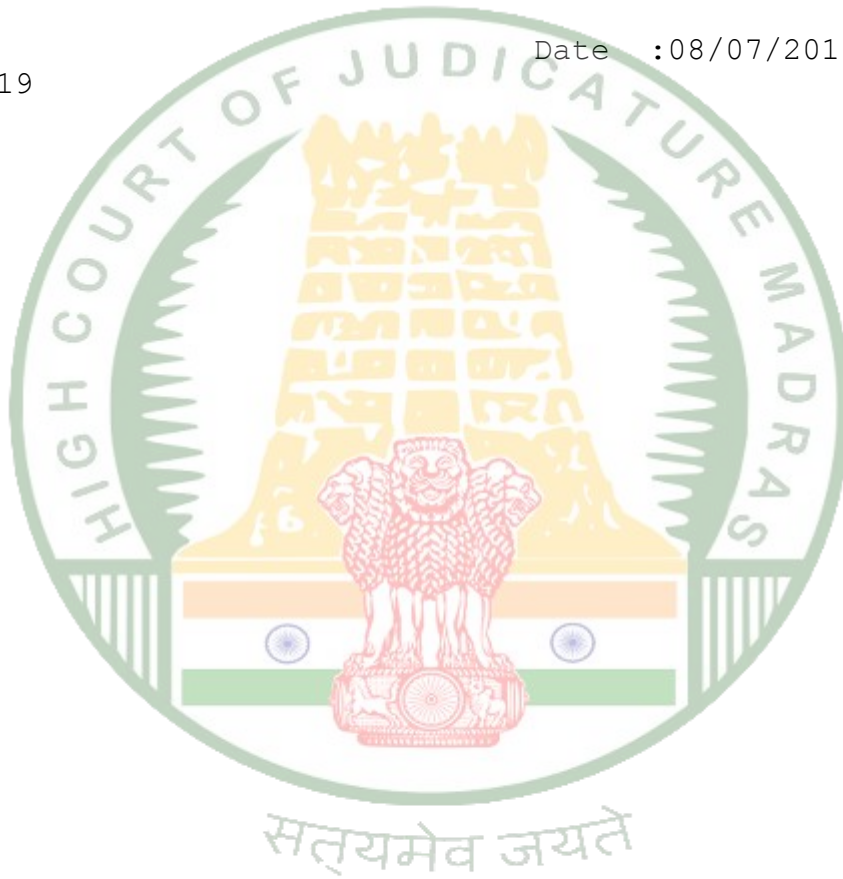
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.DEEPAN UDAY Advocate on payment of necessary
charges SR.NO. 13818

CRL OP.17611/2019

Date :08/07/2019

CSL/16.07.2019



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