

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.17725 of 2019

1 KISHORE
2 AJITH @ VIJAY
3 SUNILKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE [RESPONDENT]
MAMALLAPURAM POLICE STATION,
KANCHEEPURAM DISTRICT.
CRIME NO.332 OF 2019

For Petitioner : M/S.A.VENKATESAN 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 petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 324, 506(ii) of IPC, r/w 3(i) of TNPPDL Act in Crime No.332 of 2019, seek anticipatory bail.

2.The case of the prosecution is that the petitioners committed the offence apprehending and criminally intimidated the defacto complainant. The result of which the defacto complainant sustained the injury. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have no way connected with the said case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the crime has been registered for the offences punishable under Sections 147, 324, 506(ii) of IPC, r/w 3(i) of TNPPDL Act. Hence, she vehemently opposed for grant of anticipatory bail to the petitioners.

is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are directed to deposit Rs.15,000/- jointly to the credit of Crime No.332 of 2019, on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate at Thirukalukundram on condition that the second 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 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 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[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 second petitioners in accordance with law as if the conditions have been imposed and the second 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 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,
<https://hcservices.ecourts.gov.in/hcservices/>
THIRUKALUKUNDRAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
KANCHEEPURAM. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
MAMALLAPURAM POLICE STATION, KANCHEEPURAM DISTRICT.

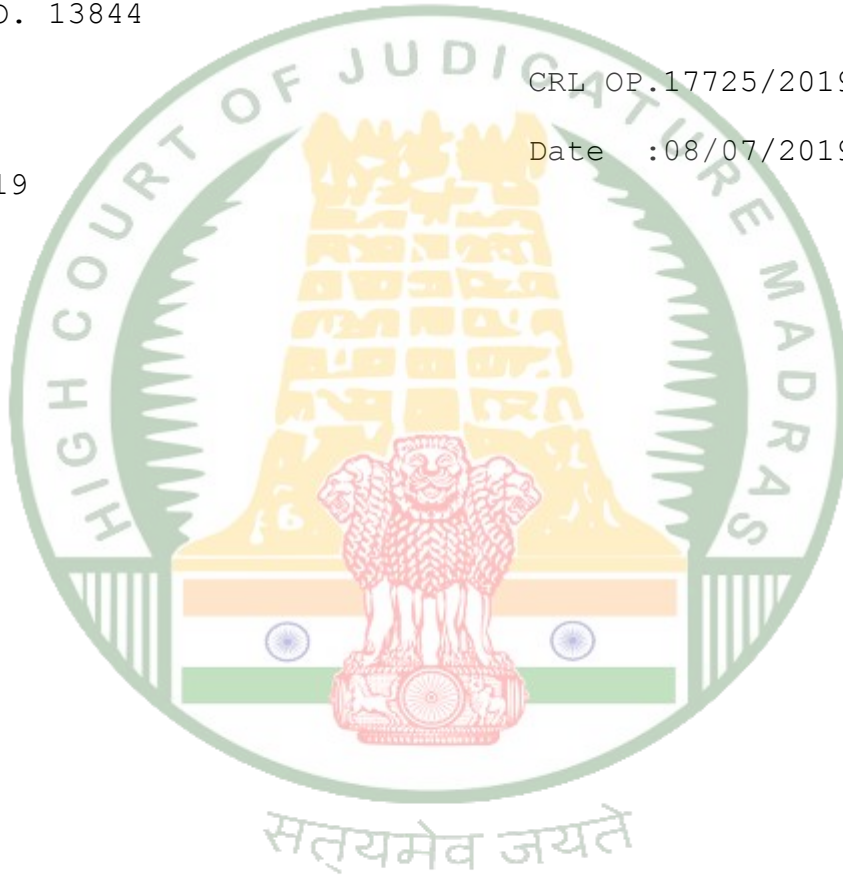
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.A.VENKATESAN Advocate on payment of necessary
charges SR.NO. 13844

CRL OP.17725/2019

Date :08/07/2019

CSL/16.07.2019



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