

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Sixteenth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.3993 of 2020

A.CHIRPI @ TAMIL CHIRPI

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY [RESPONDENT]
THE STATION HOUSE OFFICER,
CHROMPET POLICE STATION,
CHENNAI DISTRICT.
CR.NO.30 OF 2020.

For Petitioner : M/S.S.KUMARA DEVAN Advocate

For Respondent : MR. KRITIKA KAMAL.P, Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL 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 offence punishable under Sections 120B, 186, 353 and 506(i) of IPC in Cr.No.30 of 2020, seek anticipatory bail.

2. The case of the prosecution is that the petitioner is the son of V.Anbazhagan, Editor, Makkal Seithi Mayyam Magazine, on 09.10.2020, the petitioner herein sent one unknown person to the defacto complainant's office and the said person allegedly threatened the defacto complainant to pay a sum of Rs.1,00,000/- to the petitioner's father and further he threatened him to pay a sum of Rs.40,000/-p.m. to the petitioner's father for not publishing any articles against him. Hence, the complaint was registered.

3. The learned counsel for the petitioner would submit that the petitioner is the son of Senior Journalist V.Anbazhagan and since, the father of the petitioner has written certain articles against the Government, a false complainant has been given against the petitioner to wreck vengeance. Further, the learned counsel submits that the petitioner approached this Court by way of Crl.OP.,No.2701 of 2020 for quashing the Cr.No.30 of 2020 dated 07.02.2020. This Court by an order dated 28.02.2020 granted interim stay of further proceedings in respect of the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that the petitioner has sent another person/A2, demanding a sum of Rs.1,00,000/- from the defacto complainant and further threatened the defacto complainant to pay a sum of Rs.40,000/-p.m. to the petitioner not to publish any articles against him.

5. 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 bail in the event of arrest or on his appearance, before the Judicial Magistrate No.I, Tambaram, 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, within two weeks from the date of receipt of the order, 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

16/03/2020

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, TAMBARAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATION HOUSE OFFICER,
CHROMPET POLICE STATION,
CHENNAI DISTRICT.

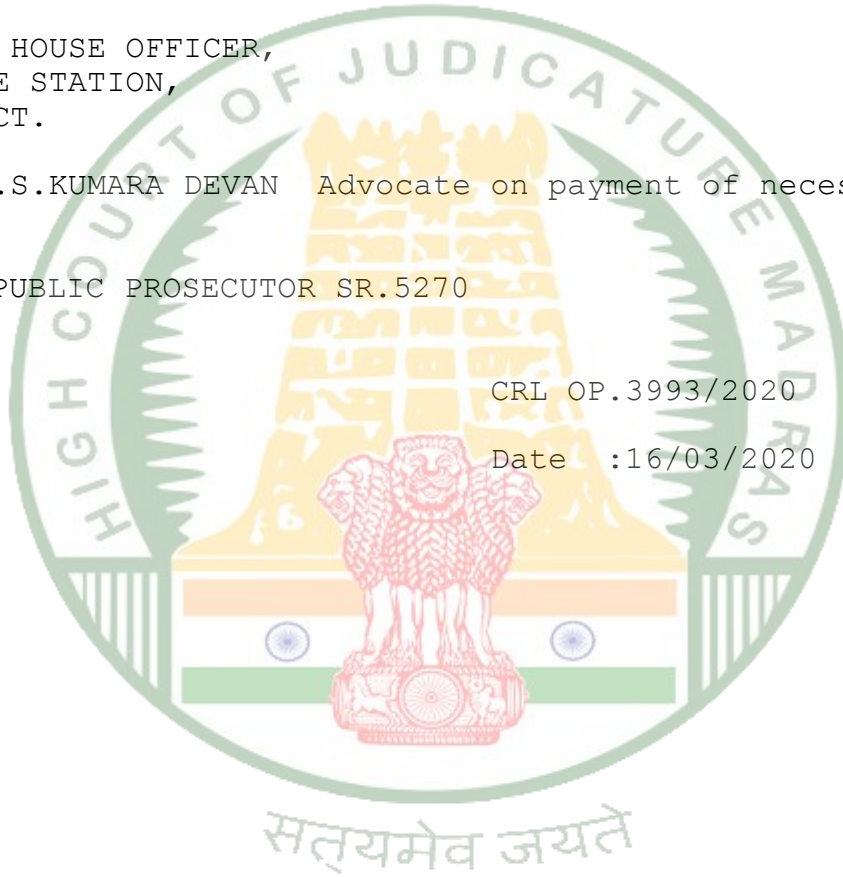
CC to M/S.S.KUMARA DEVAN Advocate on payment of necessary
charges

+1 CC TO PUBLIC PROSECUTOR SR.5270

CRL OP.3993/2020

Date :16/03/2020

RVR 24/03/2020



WEB COPY