

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Second day of March Two Thousand Twenty

PRESENT

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

CRIMINAL ORIGINAL PETITION No.4874 of 2020

1 K.MURUGAN

[PETITIONERS / ACCUSED]

2 P.MUTHU

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
M-2, MADHAVARAM MILK COLONY POLICE STATION,
CHENNAI.

CR.NO.47 OF 2020.

For Petitioner : M/S.K.KANNAN Advocate

For Respondent : MR.K.PRABAKAR 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 294(b), 323 and 506(i) of IPC in Crime No.47 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a family dispute between the defacto complainant's son and his wife. Due to which, the petitioners and others abused and attacked the defacto complainant and his wife with Helmet on her head.

3. The learned counsel for the petitioners submitted that they are innocents, and a false complaint has been foisted against the petitioners. Hence, they sought for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that no serious injury has been caused.

5. In view of the above, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, 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, Madhavaram, on condition that the

petitioners 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., 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/-

02/03/2020

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,
MADHAVARAM

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

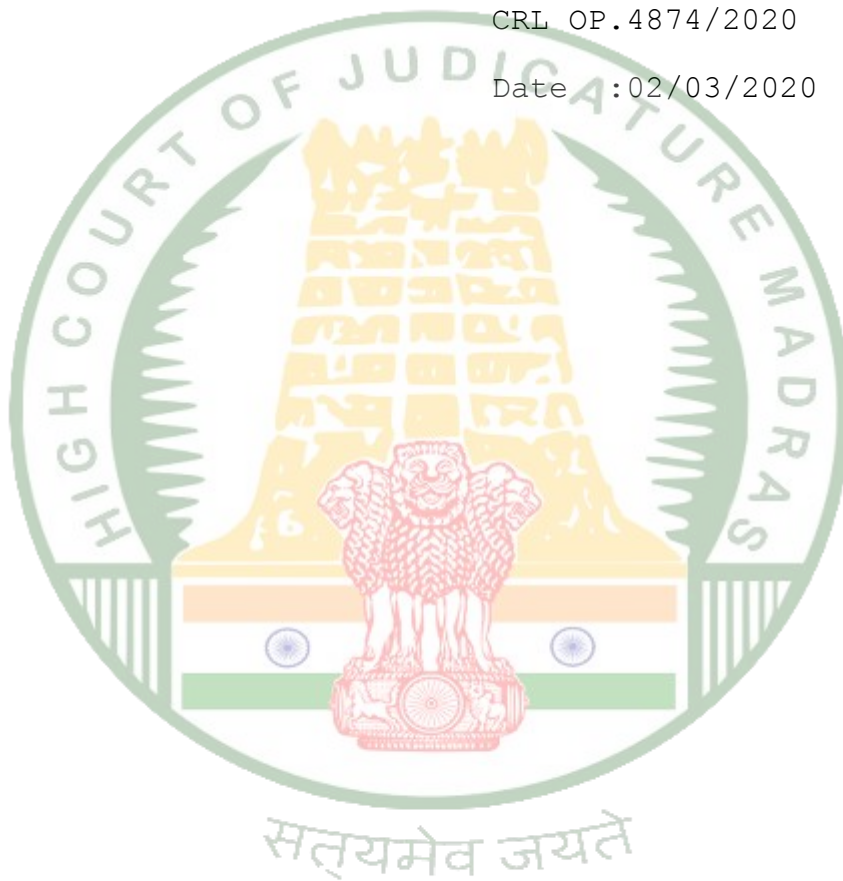
4 THE INSPECTOR OF POLICE,
M-2, MADHAVARAM MILK COLONY POLICE STATION,
CHENNAI.

+1 CC to M/S.K.KANNAN Advocate on payment of necessary charges
SR.NO. 4286

CRL OP.4874/2020

Date :02/03/2020

RD 06/03/2020



WEB COPY