

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.8203 of 2020

Ragul

... Petitioner

Vs.

State rep by

.... Respondent

The Inspector of Police,
Valangaiman Police Station,
Tiruvavur District.
(Crime No.896 of 2020)

Prayer: Criminal Original Petitions filed under Section 438 Cr.P.C.
to enlarge the petitioner on bail in the event of his arrest in Crime
No.896 of 2020 on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.K.Prabakar

Additional Public Prosecutor

ORDER

(The case has been heard through Video Conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324 of IPC and Section 4 of the Prohibition of Harassment of Women Act 2002, in Crime No.896 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a dispute due to local body election between the petitioners and the de-facto complainant, as a result of which, on 08.05.2020, the petitioner along with A1 had gone to the house of the de-facto complainant and attacked them and caused injuries. Hence, the complaint was registered.

3. The learned counsel for the petitioner would submit that the petitioner is innocent person and he has been falsely implicated in this case. Hence, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there was a local body election between the petitioner and the defacto complainant, as a result of which, on 08.05.2020, the petitioner along with A1 had gone to the house of the defacto complainant and attacked them and caused injuries. He would further submit that the victim has been discharged from the hospital and there is no previous case pending as against the petitioner.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant of anticipatory bail to the petitioner with certain conditions.

6. 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 is made ready, before the learned Judicial Magistrate, Velangaiman, on condition that each of the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with one surety, 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 Aadhaar 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 trial.

[d] the petitioner shall not abscond either during 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 229-A IPC.

-sd/-
05/06/2020

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,
VELANGAIMAN.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VALANGAIMAN POLICE STATION,
TIRUVARUR DISTRICT.

CC to MR.T.MURUGANANTHAM, Advocate on payment of necessary charges

CRL OP.8203/2020

Date :05/06/2020

TA-10/06/2020

WEB COPY