

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 11.06.2020**

**CORAM**

**THE HON'BLE MR.JUSTICE N.ANAND VENKATESH**

**Crl.O.P.No.8246 of 2020**

Mr.P.MURUGAN,  
S/o Perumal,  
No:52/3, Big Street,  
Athur, Vadapathi,  
Chengalpattu Taluk,  
Chengalpattu District.

...Petitioner

-Vs-

The State Rep. By  
The Inspector of Police  
D-2, Chengalpattu Taluk Police Station,  
Chengalpattu District.  
[Crime No:1375 of 2020]

... Respondent

**Prayer:** Criminal Original petition filed under Section 438 of Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest pending investigation in Crime No.1375 of 2020 on the file of the respondent police.

|                |                              |
|----------------|------------------------------|
| For Petitioner | : Mr.M.Ravikumar             |
| For respondent | : Mr.M.Mohamed Riyaz         |
|                | Additional Public Prosecutor |

**ORDER**

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294[b], 341, 353 & 506[2] of IPC in Crime No.1375 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had abused the police personnel in an inebriated state. There are totally two accused persons in this case and the petitioner is ranked as A2.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has nothing to do with the alleged offence and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

3. The learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that A1 was arrested in this case and he was later enlarged on bail. He further submitted that there is one previous case pending against the petitioner.

4. This Court is of the opinion that the petitioners can be directed to deposit a sum of Rs.500/- (Rupees five hundred only) as non-

refundable deposit to the credit of Tamil Nadu Advocate Clerk Association, High Court, Madras, without prejudice to their rights and contentions before the trial Court.

4. Taking into consideration the 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, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Chengalpattu, on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five thousand only) each 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 deposit a sum of Rs.5,00/- (Rupees Five Hundred only) as non refundable deposit to the credit of the **Tamil Nadu Advocate Clerk Association, Madras High Court, Chennai (Indian**

**Bank, High Court Branch, A/c No.484026006, IFSC Code:IDIB000M157).**

[c] the petitioner shall report before the respondent police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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To.

1. The learned Judicial Magistrate No.II,

Chengalpattu.

2. The Inspector of Police

D-2, Chengalpattu Taluk Police Station,  
Chengalpattu District.  
[Crime No:1375 of 2020]

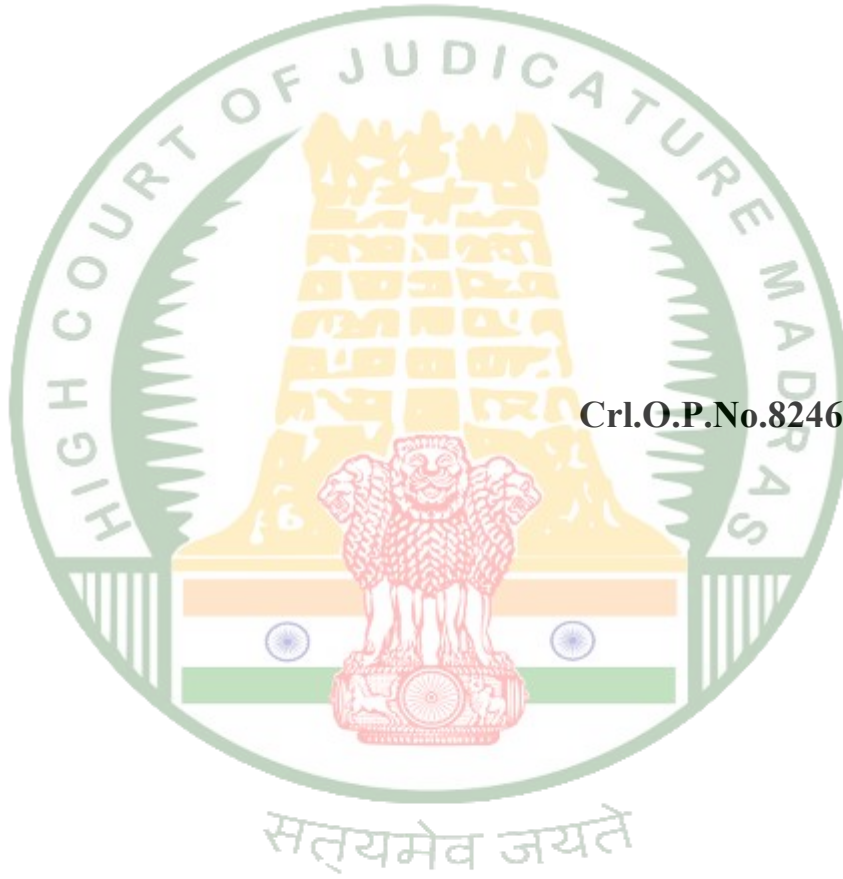
3. The Public Prosecutor, High Court, Madras.



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**N.ANAND VENKATESH., J.**

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