

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**Crl.O.P.No.8430 of 2020**

Mr.Chennaiya @ Sivasargunam

...Petitioner/Accused No.1

Vs

The State rep. by
The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
(Crime No. 955 of 2020)

...Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on Anticipatory bail in the event of his arrest in Crime No: 955 of 2020 pending investigation on file of the respondent Police.

For petitioner : Mr.G.Madavakarkidasan

For respondent : Mr.Mohammed Riyaz,

Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offense punishable under Section 294(b) 324 & 506 (ii) IPC, in Crime No.955 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 de facto complainant, since the de facto complainant had helped in the love marriage of one of the relatives of the petitioner. The petitioner is said to have criminally intimidated and attacked the de facto complainant.

3. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and he has nothing to do with the offense.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the injured has been discharged from the hospital and there are no previous cases against the petitioner.

5. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner/A1 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 The Judicial Magistrate, Tiruvarur, 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 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 persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

10.06.2019

Pns

To

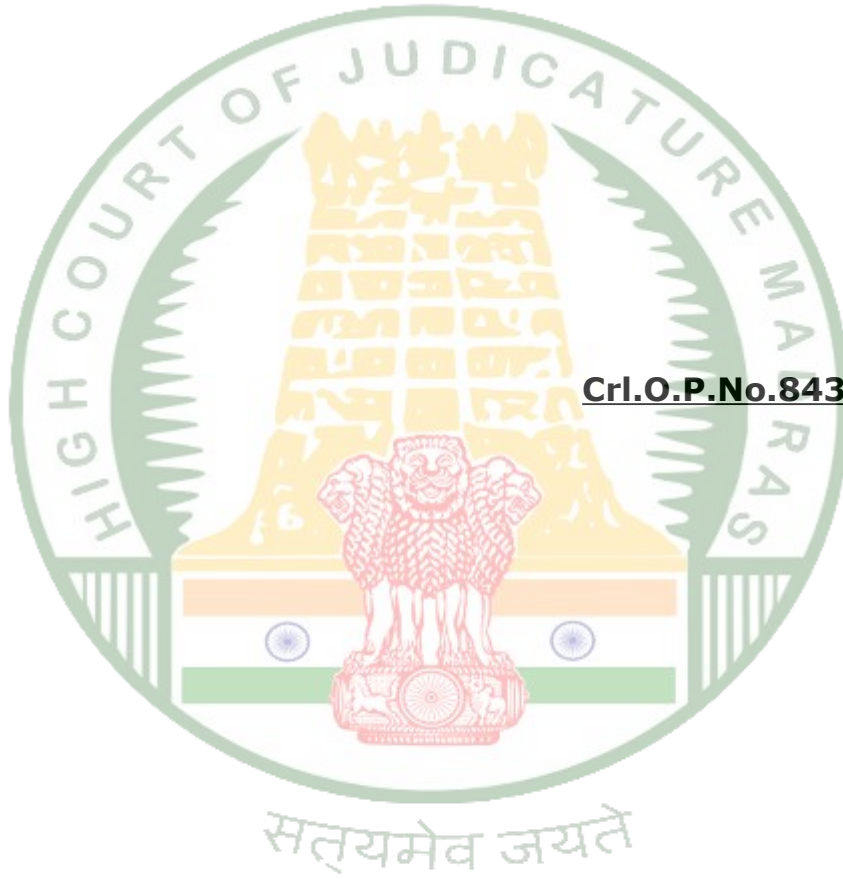
1.The Judicial Magistrate, Tiruvarur.

2.The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.

3.The Additional Public Prosecutor,
Chennai.

N.ANAND VENKATESH., J.

Pns

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