

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.8528 of 2020

Manikandan

...Petitioner/Accused No.2

Vs

The State rep. by
The Inspector of Police,
Kaveripakkam Police Station,
Vellore District.
(Crime No. 456 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: 456 of 2020 pending investigation on file of the respondent Police.

For petitioner : M/s.S.Sairaman

For respondent : Mr.Mohammed Riyaz,

Additional Public Prosecutor

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ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offense punishable under Section 294(b), 323, 324 & 506(ii) of IPC in Crime No.456 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel among the accused persons and the de facto complainant, who are said to be neighbors. The victim also sustained simple injuries.

3. The learned Additional Public Prosecutor appearing on behalf of the respondent / Police submitted that A1 was arrested and he was later released on bail and the petitioner is ranked as A2. The learned counsel further submitted that the injured persons have been discharged from the hospital. It was further submitted that there are no previous cases against the petitioner.

4. Considering the facts and circumstances of the case, 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,

Madurantakam, on condition that the petitioner shall execute a separate bond for a sum of Rs.5,000/- (Rupees Five 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 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 is directed to report before the respondent Police as and when required for interrogation.

[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 thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

12.06.2020

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To

1.The learned Judicial Magistrate No.I,
Walajapet.

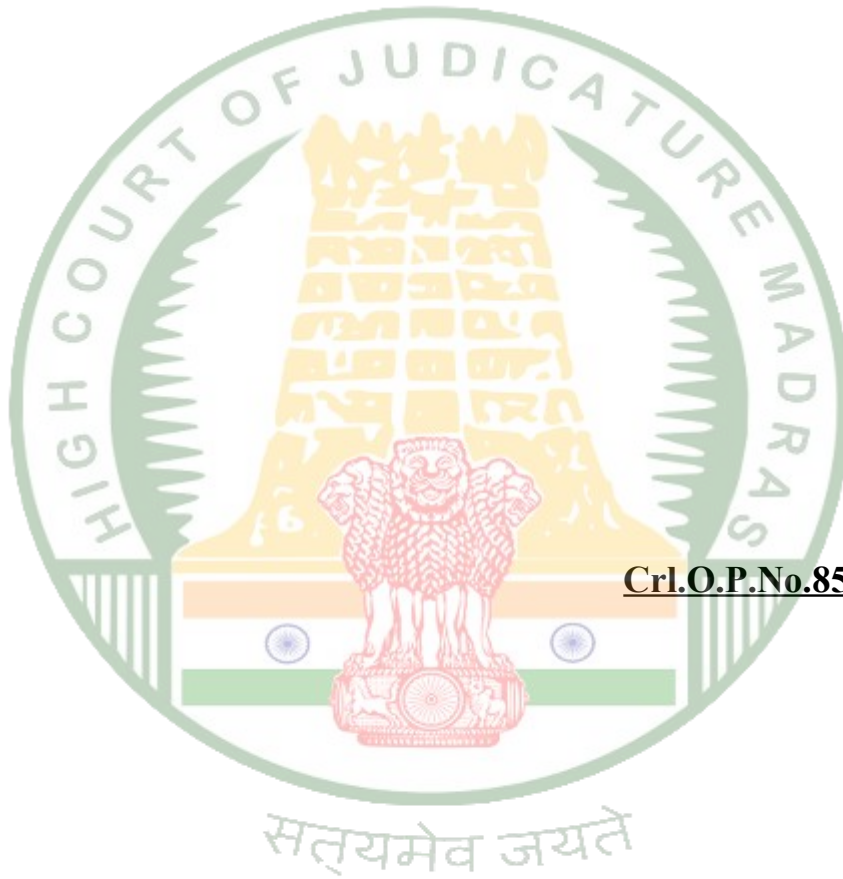
2.The Inspector of Police,
Kaveripakkam Police Station,
Vellore District.

3.The Additional Public Prosecutor,
High Court, Madras.

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N.ANAND VENKATESH., J.

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