

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2020

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.8536 of 2020

Mr.Arumugam

...Petitioner/Accused

Vs

The State rep. by
The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.
(Crime No. 779 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:779 of 2020 pending investigation on file of the
respondent Police.

For petitioner : Mr.M.P.Saravanan

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 u/s 294(b), 324 & 505(ii) of IPC in Crime No. 779 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a land dispute between the parties and the petitioner is said to have abused the de facto complainant in a filthy language and attacked him and caused simple injuries.

3. The learned counsel for the petitioner submitted that the petitioner has nothing to do with the alleged offense and he has been falsely implicated in this case.

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

5. 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, -I, Krishnagiri, 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 not tamper with evidence or witness either during investigation or trial.

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

N.ANAND VENKATESH., J.

Pns

[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.

12.06.2020

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To

- 1.The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.
- 2.The Learned Judicial Magistrate, -I, Krishnagiri,

Crl.O.P.No.8536 of 2020

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