

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. O.P. No. 8597 of 2020

P. Venkatesh @ P. Venkatesan

... Petitioner

-VS-

State, rep. by
The Inspector of Police,
Manavala Nagar Police Station,
Tiruvallur District.

... Respondent

PRAYER:- Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the Petitioner on bail in the event of his arrest in connection with the Crime No. 65 of 2018 on the file of respondent Police.

For Petitioner : Mr. R. Sasikumar

For Respondent : Mr. M. Mohamed Riyaz
Additional Public Prosecutor

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ORDER

The petitioner/A12, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 448 & 307 of Indian Penal Code and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.65 of 2018 on the file of the respondent police,

seek anticipatory bail.

2.The case of the prosecution is that the accused persons had attacked the de-facto complainant and caused him serious injuries. There are totally 15 accused in this case and the Petitioner is ranked as A12.

3.The learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that the investigation has been completed and a final report has been filed. The learned counsel further submitted that this case pertains to an incident which happened in the year 2018.

4.Taking into consideration, the facts and circumstances of the case, this Court is inclined to grant Anticipatory bail to the Petitioner. 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 – II, Thiruvallur, on condition that the petitioner shall execute a 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 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 court below during every date of hearing without fail.

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

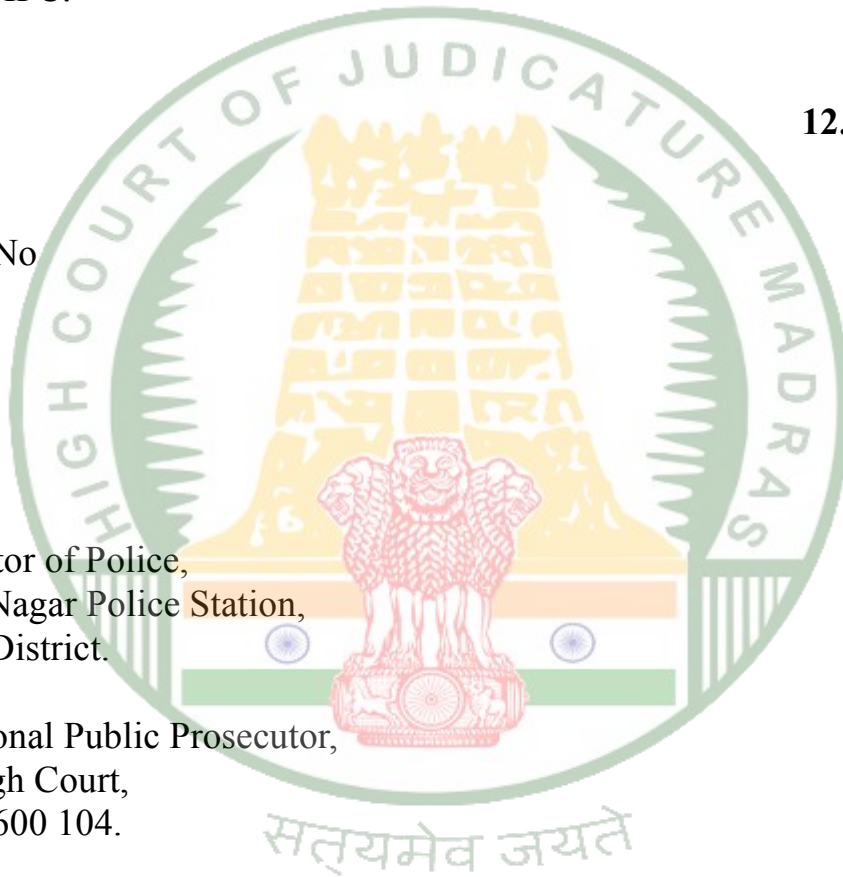
12.06.2020

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Internet: Yes/No

To

1. The Inspector of Police,
Manavala Nagar Police Station,
Tiruvallur District.
2. The Additional Public Prosecutor,
Madras High Court,
Chennai – 600 104.



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N. ANAND VENKATESH, J.

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