

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. O.P. No. 8598 of 2020

1.J. Padaiyappa

2.S. Karthik
Petitioners

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State Rep. by its
The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District.

... Respondent

PRAYER:- Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the Petitioners on anticipatory bail in the event on their arrest by the Respondent Police in Crime No. 499 of 2020 on the file of the Respondent Police.

For Petitioners : Mr. J. Pradeep

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

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 & 506 (ii) of Indian Penal Code in Crime No.499 of 2020 on the file of the respondent police, seek

anticipatory bail.

2.The case of the prosecution is that there was a money dispute between the parties and the Petitioners are said to have intimidated and attacked the de-facto complainant as a result of which, he sustained injuries.

3.The learned Additional Public Prosecutor, on instructions, submitted that the injured has been discharged from the Hospital and there is one previous case for both the Petitioners.

4.Taking into consideration, the facts and circumstances of the case, this Court is inclined to grant Anticipatory bail to the Petitioners. The Petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate – II, Krishnagiri on condition that the petitioners 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 petitioners shall report before the respondent police every Monday at 10.30 am until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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.

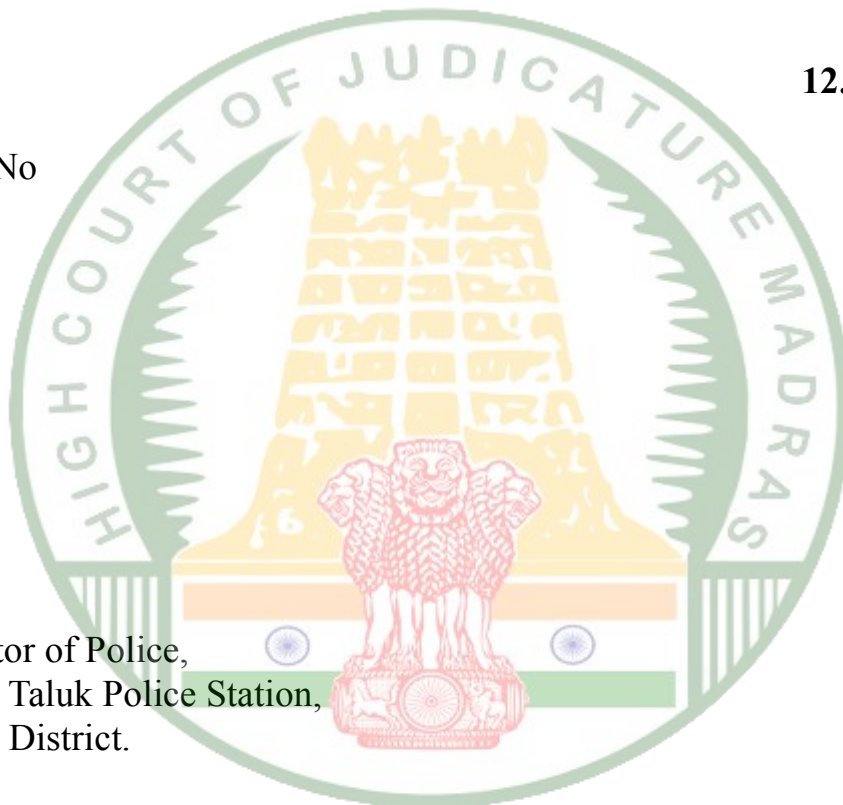
12.06.2020

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Internet: Yes/No

To

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



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N. ANAND VENKATESH, J.

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