

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

CRL. O.P. No.8744 of 2020

Vinothagan

... Petitioner/Accused No.3

-Vs-

State Rep.by
The Inspector of Police,
Kottur Police Station,
Thiruvarur District.
Crime No.232 of 2020

.... Respondent /Complainant

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., to enlarge the petitioner on bail in the event of his arrest in Crime No.232 of 2020 on the file of the Inspector of Police, Kottur Police Station, Thiruvarur District, and thus render justice.

For Petitioner : Mr. S. Swamisubramanian

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

ORDER

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No. 232/2020, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the accused persons and the defacto complainant and both are known to each other. There are totally four accused persons in this case and the petitioner is added as A3.

3. The learned Additional Public Prosecutor on instructions submitted that A4 was arrested and later enlarged on bail and the injured person has already been discharged from hospital and there are no previous cases against the petitioner.

4. Taking into consideration the facts and circumstances of the case and also of the fact that the co-accused were also released on bail, this Court is inclined to grant anticipatory bail to this petitioner with certain conditions. Accordingly, the petitioner/A3 is 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 No.II, Mannargudi, Thiruvvarur District, 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 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.

[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 petitioners 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].

[g] If the accused persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

16/06/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.II, MANNARGUDI,
THIRUVARUR DISTRICT,

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

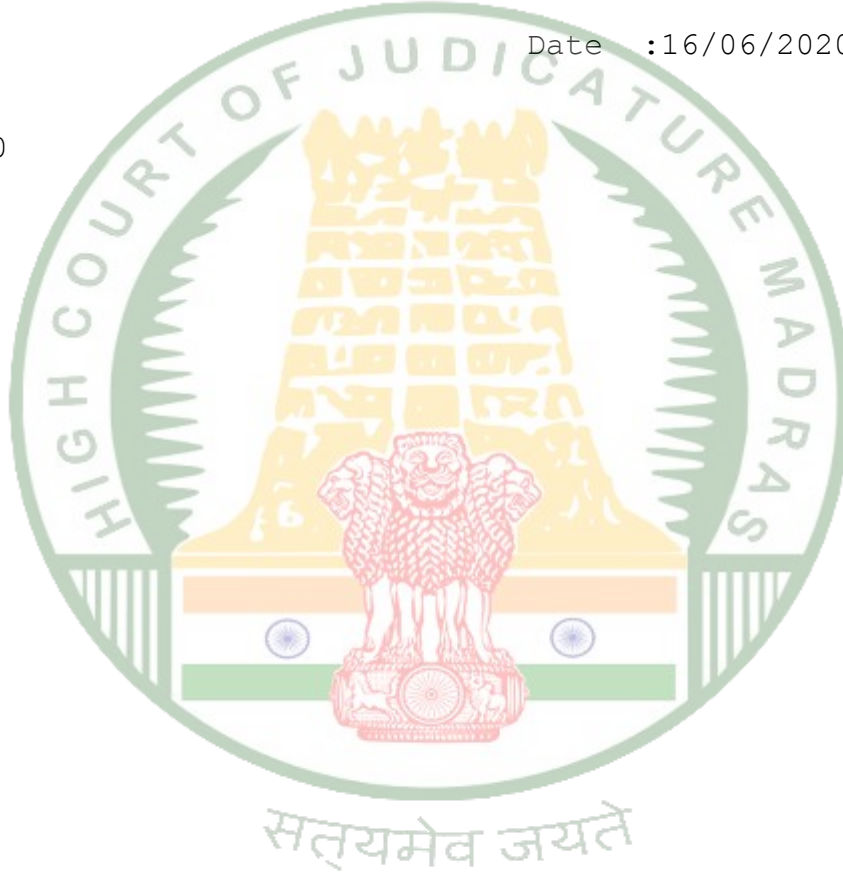
4 THE INSPECTOR OF POLICE,
KOTTUR POLICE STATION,
THIRUVARUR DISTRICT.

CC to M/S. SWAMISUBRAMANIAN Advocate on payment of necessary
charges

CRL OP.8744/2020

Date :16/06/2020

TA-09/09/2020



WEB COPY