

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2020

CORAM

THE HONOURABLE MR. JUSTICE ANAND VENKATESH

CrI.O.P.No.8879 of 2020

Lakshmanan

..Petitioner

Vs.

State By its
The Inspector of Police
Sipcot Police station,
Sipcot
Ranipet District
Crime No. 405/2020.

... Respondent

Prayer: Petition filed u/s.438 Cr.P.C., seeking anticipatory bail praying to enlarge the petitioner on bail in the event of his arrest in Crime No.405/2020.

For Petitioner : Mr.K.G.Senthilkumar

For Respondent : Mr.Mohamed Riyaz

Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 353 IPC in Crime No.405 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner demanded liquor from the defacto complainant without paying any money. When it was refused, he said to have intimidated and caused simple injuries to the defacto complainant.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing on behalf of the respondent police on instructions submitted that the TSMAC employee only sustained simple injuries 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-cum-District Munsif, Ranipet, 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 conditions 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 Aadhaar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police every Monday at 10.30 a.m. for a period of four weeks and thereafter 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.

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

-sd/-

18/06/2020

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

TRUE COPY

TO

1 THE JUDICIAL MAGISTRATE-CUM-DISTRICT MUNSIF,
RANIPET.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

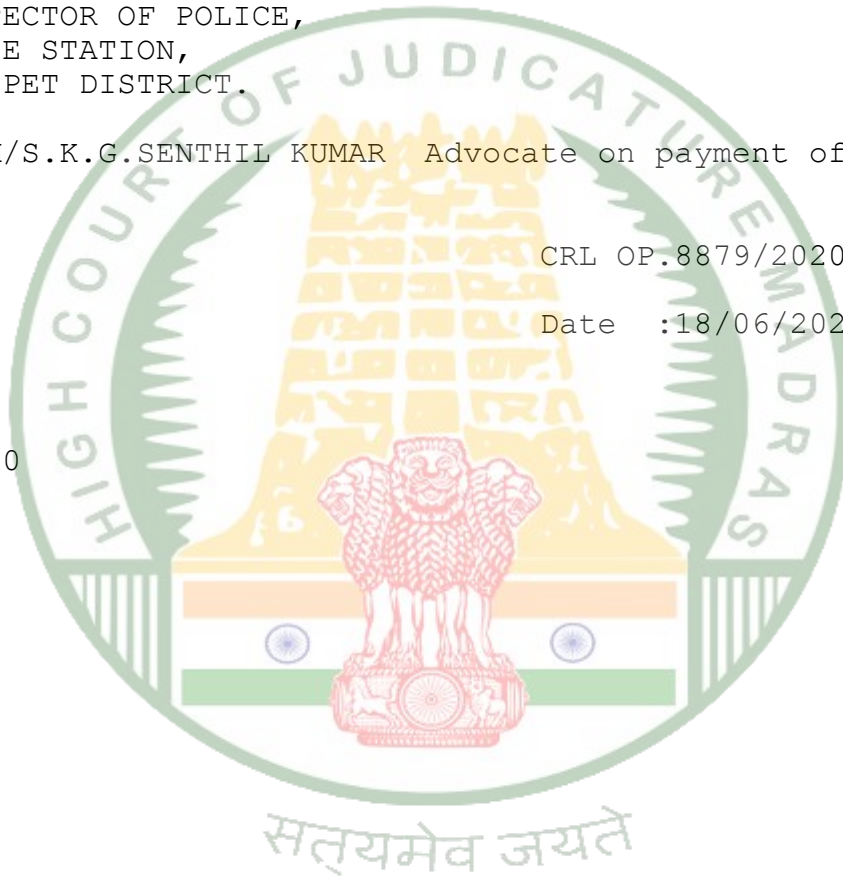
4 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
SIPCOT, RANIPET DISTRICT.

CC to M/S.K.G.SENTHIL KUMAR Advocate on payment of necessary
charges

CRL OP.8879/2020

Date :18/06/2020

TA-26/08/2020



WEB COPY