

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.9026 of 2020

Sathish @ Sathishkumar (Age 21)
S/o.Ramesh
No.22, Nethaji Theru
Uliambakkam, Arakkonam
Vellore District
Now Ranipet District. ... Petitioner

Vs.

State by
Inspector of Police,
Arakkonam Taluk Police Station,
Arakkonam
Vellore District
Now Ranipet ...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Code of Criminal Procedure, praying to enlarge the petitioner on Anticipatory bail in the event of arrest by the respondent police in pending Crime No.370 of 2020 on the file of the respondent police.

For Petitioner : Mr.R.Ramesh

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

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O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 324 and 506(ii) of IPC r/w Sec.4 of the Prohibition of Harassment of Women Act 2002, in Crime No.370 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons indulged in a wordy quarrel with the de-facto complainant and he was intimidated and attacked, as a result of which, she sustained simple injuries.
<https://hcservices.ecourts.gov.in/hcservices/>

3. The learned Counsel appearing for the petitioner submitted that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case and hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor, on instructions submitted that there are two accused persons in this case. The petitioner is ranked as A1. The learned counsel further submitted that the injured person has been discharged from the hospital and there are no previous cases against the petitioner.

5. Taking into consideration the facts and circumstances and also taking note of the fact that the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, 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, Arakkonam, Vellore District, Now Ranipet 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 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 shall 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.

[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.

-sd/-
19/06/2020

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,
ARAKKONAM, VELLORE DISTRICT
NOW RANIPET DISTRICT

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ARAKKONAM TALUK POLICE STATION,
ARAKKONAM,
VELLORE DISTRICT.

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

CRL OP.9026/2020

RD 04/08/2020

Date :19/06/2020

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