

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No. 9343 of 2020

A.Ashok Kumar

... Petitioner

Vs

The State represented by
The Inspector of Police,
Thudiyalur Police Station,
Coimbatore.
(Crime No.119 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest in respect of Crime No.119 of 2020 on the file of Thudiyalur Police Station, Coimbatore, pending investigation.

For Petitioner : Mr.S.B.Viswanathan

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

O R D E R

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 324, 307 and 506 (ii) IPC in Crime No. 119 of 2020 seeks anticipatory bail.

2. The case of the prosecution is that there was a quarrel between the petitioners and the defacto complainant and it is alleged that the petitioners assaulted the defacto complainant with hands and also abused in unparliamentary words. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner attacked the defacto complainant and the injured discharged from the hospital. He further submitted that there is no previous case against the petitioner. Hence he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 No.I, Coimbatore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related 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 blood related 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 daily at 10.30 a.m. for a period of two 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 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 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/-
25/06/2020

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.I, COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
THUDIYALUR POILCE STATION
COIMBATORE.

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

CRL OP.9343/2020

Date :25/06/2020

cs 07/08/2020



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