

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 9659 of 2020

Vignesh @ Poonai Vikki

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Shankar Nagar Police Station,
Chennai.
Cr. No.713 of 2019

.... Respondent

Prayer: Criminal Original Petitions filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest
by the respondent police in Crime Nos.713 of 2019 on the file of the
respondent police.

For Petitioner : Mr.R.Sasikumar

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, 294 (b), 324 and 506 (ii) of IPC and Section 3 (1) of TNPPDL
Act, in Crime No.713 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that on 07.10.2019, the
petitioner along with others entered into the shop of the defacto
complainant and abused the staffs and damaged the articles and also
threatened him with dire consequences. Hence the complaint.

3. The learned counsel for the petitioner would submit that the
petitioner is an innocent person and he has been falsely implicated
in this case. Therefore, he prays to grant anticipatory bail to the
petitioner.

4. The learned Additional Public Prosecutor on the other hand
would submit that the petitioner has involved in four previous cases
including one under the Explosives Act. Hence he vehemently opposed
to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, 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-II, Tambaram, 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 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 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 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/-

29/06/2020

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, TAMBARAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

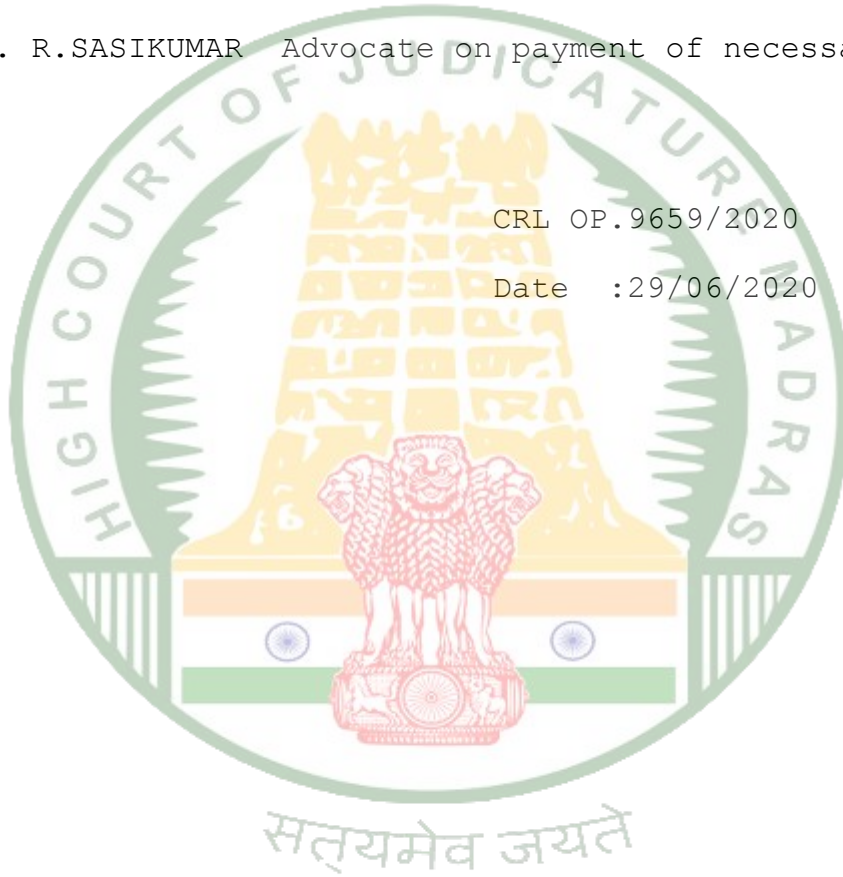
3 THE INSPECTOR OF POLICE
SHANKAR NAGAR POLICE STATION,
CHENNAI.

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

CRL OP.9659/2020

Date :29/06/2020

RVR 18/08/2020



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