

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.10207 of 2020

Logu @ Loganathan

... Petitioner

Vs.

State by
Inspector of Police,
Vridhachalam Police Station,
Cuddalore.
(Crime No.1109 of 2020

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest
in Crime No.1109 of 2020 on the file of the respondent police.

For Petitioner : Mr.M.Selvam

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), 323, 427 and 506(2) of IPC, in Crime No.1109 of 2020,
seeks anticipatory bail.

2. The case of the prosecution is that there was s previous
enmity between the petitioner and the de-facto complainant with
regard to Panchayat Election. Thereafter, the petitioner had abused
the de-facto complainant and also damaged the water tank and pumps
worth about of Rs.10,000/- Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit
that the petitioner is an innocent person and he has been falsely
implicated in this case. He would further submit that without
prejudice to his defence, he is prepared to deposit some amount to
credit of crime number. Therefore, he prays for grant of anticipatory
bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that
there was a previous enmity between the petitioner and the de-facto
complainant with regard to Panchayat Election. Thereafter, the
petitioner had abused the de-facto complainant and also damaged the
water tank and pumps worth about of Rs.10,000/- He would further
submit that there is no previous case pending against the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of Crime No.1109 of 2020, within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.1, Vridhachalam, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten 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 deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.1109 of 2020, before the concerned Magistrate, within a period of four weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter every Monday at 10.30 a.m., until further orders.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

07/07/2020

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, VRIDHACHALAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
VRIDHACHALAM POLICE STATION,
CUDDALORE.

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

CRL OP.10207/2020

Date :07/07/2020

RVR 01/09/2020

सत्यमेव जयते

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