

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.14033 of 2020

Selvakumar
S/o.Natarajan

... Petitioner

vs.

The State represented by
Inspector of Police
M-4, Thudiyalur Police Station
Coimbatore District
(Crime No.1675 of 2020)

..Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on bail in the event of his arrest in Crime No.1675 of 2020 on the file of the respondent police.

For Petitioner : Mr.M.Vinoth

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

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) IPC, in Crime No.1675 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to due to quarrel, the petitioner assaulted the defacto complainant with knife.

3.The learned counsel appearing for the petitioner would submit that the petitioner and the defacto complainant are known to each other and the incident had taken place during the quarrel.

4.The learned Additional Public Prosecutor would submit that due to quarrel, the petitioner has assaulted the defacto complainant with knife. He would further submit that there is no previous case against the petitioner.

case and the submissions made by the learned counsels and also considering the fact that there is no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

a) Accordingly, the petitioner is ordered to be released on bail, in the event of his arrest or on his appearance, within a period of fifteen days from the date of commencement of the Court's normal functioning, before the Judicial Magistrate Court-1, Coimbatore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, 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:

[b] 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.

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

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

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

[f] 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].

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

6. With the above directions, this Criminal Original Petition is ordered.

-sd/-

10/09/2020

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

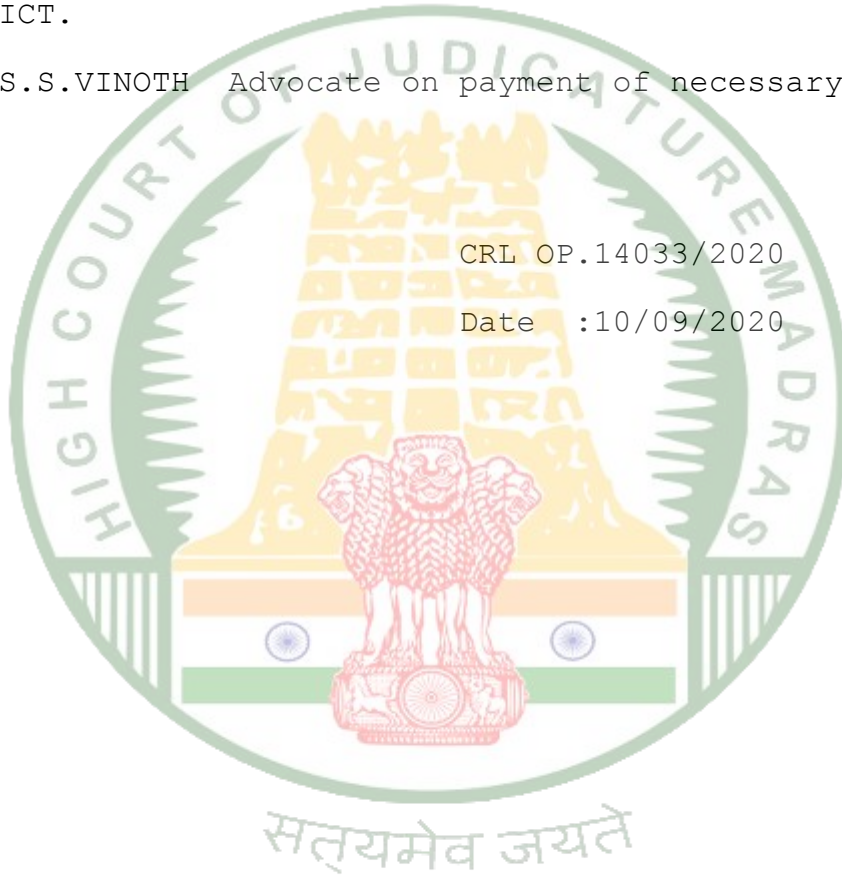
1 THE JUDICIAL MAGISTRATE,
COURT-I, COIMBATORE

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
M-4 THUDIYALUR POLICE STATION,
COIMBATORE DISTRICT.

+1 CC to M/S.S.VINOTH Advocate on payment of necessary charges
sr No.6231

RD 15/09/2020



CRL OP.14033/2020

Date :10/09/2020

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