

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2020

C O R A M

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.19491 of 2020

Sasikumar Janarthanan @ Sasi

...Petitioner

Vs

The State rep by
The Inspector of Police,
Chitlapakkam Police Station,
Chennai
Crime No.51 of 2020

...Respondent

Prayer: This petition has been filed under Section 438 of Cr.P.C., to enlarge the petitioner on bail in the event of his arrest in Crime No.51 of 2020, on the file of the Inspector of Police, Chitlapakkam Police Station, Chitlapakkam, Chennai.

For Petitioner : Mr.V.Vivek

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

ORDER

This case has been heard through video conference

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 384, 506(ii) of IPC, in Crime No.51 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner along with the other accused is alleged to have threatened the *de facto* complainant with dire consequences and assaulted him. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case since the second accused is the friend of the petitioner, who was arrested and released on bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner along with the

other accused demnded rowdy mamool. However, he would submit that there is no previous case against the petitioner.

5. Considering the facts and circumstances of the case and the submissions of the learned counsel on either side, this Court is inclined to grant anticipatory bail in favour of the Petitioner, however, on stringent conditions.

6. Taking into consideration the facts and submissions of the learned Counsel and the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions;

7. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen (15) days from the date on which the copy of the order is made ready, before the learned Judicial Magistrate, Tambaram, on condition that each of 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:

[a] the petitioners 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 petitioners shall report before the respondent police every day at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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

-sd/-
22/12/2020

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,
TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CHITLAPAKKAM POLICE STATION,
CHENNAI.

+1 CC to M/S.V.VIVEK Advocate on payment of necessary
charges SR NO 8695

CRL OP.19491/2020

Date :22/12/2020

MN-06/01/2021

WEB COPY