

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 30.12.2020
CORAM
THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN
Crl.O.P.No.20975 of 2020

M.Paramasivam

.. Petitioner

Vs.

State rep. by
The Inspector of Police
F-2, Egmore Police Station,
Chennai.
Crime No.827 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.827 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.K.Thenrajan

For Respondent : Mr.M.Mohamed Muzammil
Government Advocate (Crl.Side)

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 alleged offences under Sections 143, 294(b), 323, 506(i) IPC in Crime No.827 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that there was a quarrel between the petitioner and the defacto complainant, due to which this criminal case in Crime No.827 of 2020 came to be registered.

3.The learned Government Advocate (Criminal Side) submitted that the defacto complainant suffered simple injuries and he has been discharged from the hospital.

4. Heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side).

5. Considering the facts and circumstances of the case and also the fact that the victim has suffered simple injuries and he has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the learned XXII Metropolitan Magistrate, Egmore, Chennai, 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 and on further condition that:

[a] 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 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/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 229-A IPC.

-sd/-

30/12/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

WEB COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 XXII METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

<https://hcservices.ecourts.gov.in/hcservices/>

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

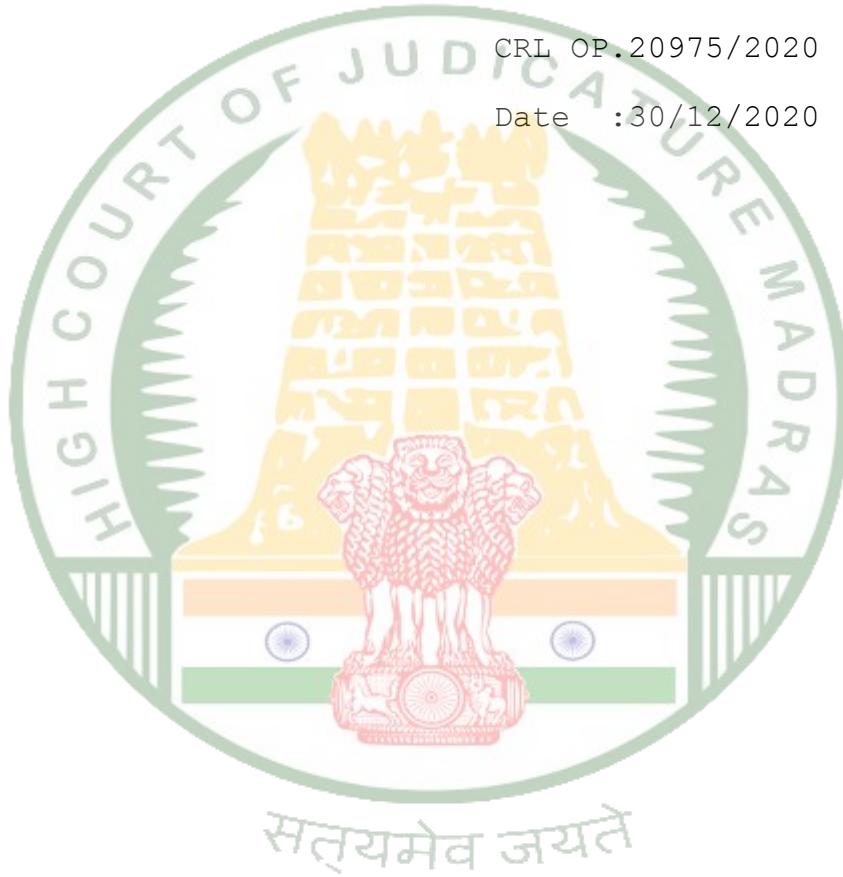
4 THE INSPECTOR OF POLICE,
F-2 EGMORE POLICE STATION,
CHENNAI.

CC to M/S.K.THENRAJAN Advocate on payment of necessary charges
Sr.8777

CRL OP.20975/2020

Date :30/12/2020

RVR 06/01/2021



WEB COPY