

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.01.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

CrI.O.P.No.788 of 2021

Venkateshwaran

... Petitioner

Vs.

The State rep. By

... Respondent

The Inspector of Police,
Thiruthuraipoondi Police Station,
Tiruvarur District.
(Crime No.55 of 2021)

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge to the petitioner on bail, in the event of his arrest in Crime No.55 of 2021 on the file of the respondent police.

For Petitioner : Mr.M.Vijaya Raghavan

For Respondent : Mr.S.Karthikeyan
Addl. Public Prosecutor

ORDER

(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), 352, 447, 506(ii) and 379 of IPC in Crime No.55 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner went to the shop of the defacto complainant in a drunken mood. At that time, the petitioner is said to have picked up wordy quarrel with the defacto complainant and abused him in filthy language and threatened him with dire consequences. Hence, the present complaint.

3. The learned counsel for the petitioner would submit

that the petitioner is an innocent person and he is no way

connected with this crime and he has been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner is said to have picked up wordy quarrel with the defacto complainant and threatened him with dire consequences and also abused him in filthy language.

5. Taking into consideration the nature of offence and also taking note of the fact that no one sustained injury, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is are 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 is made ready, before the learned Judicial Magistrate, Thiruthuraipoondi, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of 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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

21/01/2021

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,
THIRUTHURAIPOONDI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THIRUTHURAIPOONDI POLICE STATION,
THIRUVARUR.

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

CRL OP.788/2021

Date :21/01/2021

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MN-03/02/2021