

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.02.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

Crl.O.P.No.1322 of 2021

Anandan @ Anandakumar

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Walajah Police Station,
Ranipet District.
(Crime No.15 of 2021)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of his arrest in Crime No.15 of 2021 on the Respondent Police.

For Petitioner : Mr.M.Rajendiran

For Respondent : Mr.S.Karthikeyan
Addl. 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), 323 and 506(ii) IPC in Crime No.15 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused said to have attacked the defacto complainant and caused injury. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the defacto complainant and the petitioner are friends. During the conversation between the friends, there was a wordy quarrel arose among themselves in which the defacto complainant sustained injury. He would further submit that the petitioner had intervened the issue to mediate between them, but a false case has been foisted against the petitioner. Hence, he prays for anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the petitioners said to have attacked the defacto complainant and caused injury. He would further submit that the injured has been discharged from the hospital. He further submitted that there is no bad antecedents against the petitioner.

5. Taking into consideration the nature of offence and the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 on which the order copy is made ready, before the learned Judicial Magistrate II, Walajah, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- each (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 report before the respondent police as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness 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/-
02/02/2021

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 NO.II,
WALAJAH.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
WALAJAH POLICE STATION,
RANIPET DISTRICT.

+1CC to M/S.M.RAJENDIRAN Advocate on payment of necessary charges SR NO.1065

CRL OP.1322/2021

Date :02/02/2021

MK:09/02/2021

WEB COPY