

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.02.2021

CORAM :

THE HON'BLE MR. JUSTICE V. BHARATHIDASAN

Crl.O.P.No.2525 of 2021

Bakiyaraj

... Petitioner

Vs.

The State Rep. by
The Inspector of Police
Kammapuram Police Station,
Cuddalore.
(Crime No.29 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 arrest by the respondent police connected with Crime No.29 of 2021 on the file of the respondent police.

For Petitioner : Mr.B. Aravindhan

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 for the alleged offences under Sections 294(b), 353, 342 and 506(i) of IPC, in Crime No.29 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2.The petitioner is the sole accused in this case. The case of the prosecution is that the defacto complainant is a sub-registrar and the petitioner entered into the registrar office to register some documents and misbehaved with the defacto complainant and prevented her from discharging duties. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the complainant deliberately avoided to register the documents produced by the petitioner. Due to which there was a wordy quarrel between them. He would further submit that he has not committed any offence as alleged by the prosecution. Hence he prays for anticipatory bail to the petitioner.

4.Heard the learned Additional Public Prosecutor appearing for the respondent.

5.Considering the facts and circumstances of the case and also of the fact that only due to wordy quarrel the occurrence has taken place, this court is inclined to grant anticipatory bail to the petitioner 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 made ready, before the Judicial Magistrate, Virudhachalam, 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, failing which this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix his 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.

[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 229A IPC.

With the above directions this criminal original petition is ordered.

-sd/-

12/02/2021

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,
VIRUDHACHALAM

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KAMMAPURAM POLICE STATION,
CUDDALORE

CC to M/S.B.ARAVINDHAN Advocate on payment of necessary charges
sr.1587

CRL OP.2525/2021

Date :12/02/2021

RVR 19/02/2021



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