

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Ninth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.4543 of 2021

M.SENTHIL NATHAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE

J-11, KANNAGI NAGAR POLICE STATION,

CHENNAI-600 097

CRIME NO.94 OF 2021.

For Petitioner : M/S.R.MUNIYAPPARAJ Advocate

For Respondent : MR.K.PRABAKAR, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offences under Sections 324 and 506(ii) of I.P.C in Crime No.94 of 2021, on the file of the respondent Police, seek anticipatory bail.

2. The petitioner is the sole accused in this case. The allegation is that the petitioner and the defacto complainant are tenant and landlord respectively and there was a landlord tenant dispute between them. Due to which the petitioner abused the defacto complainant and assaulted him with knife. Hence the complaint.

3. Heard both sides.

4.Considering the facts and circumstances of the case and also the fact that the occurrence has taken place due to land lord tenant dispute, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, the petitioner is directed 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 learned Judicial Magistrate No.II, Alandur 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 daily 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/-
09/03/2021

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, ALANDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
<https://hcservices.ecourts.gov.in/hcservices/>
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
J-11, KANNAGI NAGAR POLICE STATION,
CHENNAI-600 097.

+1 CC to M/S.R.MUNIYAPPARAJ Advocate on payment of necessary
charges SR.NO.3042

CRL OP.4543/2021

Date :09/03/2021

TA-17/03/2021



WEB COPY