

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the First day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.6548 of 2021

A.VIGNESH

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
KOOVATHUR POLICE STATION,
KANCHEEPURAM DISTRICT.
CR.NO.56/2021.

[RESPONDENT]

For Petitioner : M/S.G.MAGESHKUMAR Advocate

For Respondent : M/S. S.KARTHIKEYAN, Additional Public Prosecutor

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

ORDER : The Court Made the following 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 448, 294 (b), 323, 324, 506(ii) of IPC in Crime No.56 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on the date of occurrence, all the petitioners went to the hotel run by the defacto complainant and developed quarrel with the owner and also attacked him. Hence, the complaint.

3.The learned counsel for the petitioner would submit that due to previous enmity, the occurrence had taken place. The main accused A1 and A2 were arrested and released on bail. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that there are totally three accused. The petitioner and other accused went to the hotel run by the defacto complainant and developed quarrel with the owner and also attacked the defacto complainant. He further submitted that the main accused A1 and A2 got released on bail and that the injured got discharged from the hospital.

5. Taking into consideration the nature of offence and also taking note of the fact that the injured discharged from the hospital and that the main accused A1 and A2 got released on bail, 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 is made ready, before the learned Judicial Magistrate, Thirukazhukundram, 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, 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/-

01/04/2021

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,
THIRUKAZHUKUNDRAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
CHENGALPET [FOR INFORMATION].

3 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

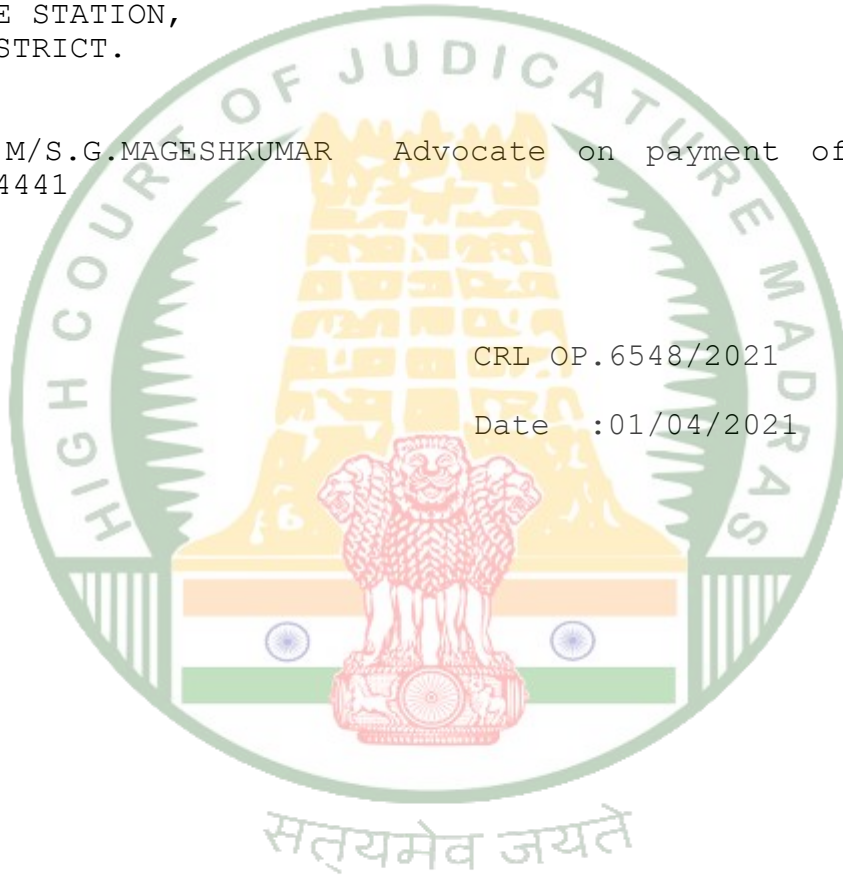
4 THE INSPECTOR OF POLICE,
KOOVATHUR POLICE STATION,
KANCHEEPURAM DISTRICT.

+1 CC to M/S.G.MAGESHKUMAR Advocate on payment of necessary
charges SR NO. 4441

CRL OP.6548/2021

Date :01/04/2021

MN-15/04/2021



WEB COPY