

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.6849 of 2021

AKBARALI

[PETITIONER / ACCUSED]

Vs

STATE REP. BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
TIRUPPUR SOUTH POLICE STATION,
TIRUPPUR, TIRUPPUR DISTRICT.
CRIME NO.340 OF 2021

For Petitioner : M/S.G.VINODHKUMAR Advocate

For Respondent : M/S P.KARITIKA KAMAL, Govt. Advocate (Crl. Side)

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 offence under Section 294(b), 506(i) of IPC r/w 4 of TNPWH Act in Crime No.340 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. Heard both sides.

3. The case of the prosecution is that, due to previous enmity between the defacto complainant and the petitioner, the petitioner said to have abused the defacto complainant and threatened her with dire consequences. Hence, the complaint.

4. The learned counsel for the petitioner would submit that the petitioner did not commit any mistake as alleged by the prosecution and he has been falsely implicated in this case. Hence, he seeks for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Criminal Side) appearing for the State would submit that there was a dispute between the petitioner and the defacto complainant and there was a wordy quarrel between them. She further stated that no previous case is pending as against the petitioner.

6. Taking into consideration the facts and circumstances of the case and also the submission made by the learned Government Advocate (Crl.side) that no previous case is pending as against the petitioner, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Tiruppur, within a period of 15 days from the date of receipt of a copy of this order, on his executing 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 the respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] 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 petitioners 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 petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 229-A IPC.

-sd/-

15/04/2021

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,
NO.II, TIRUPPUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
TIRUPPUR SOUTH POLICE STATION,
TIRUPPUR, TIRUPPUR DISTRICT.

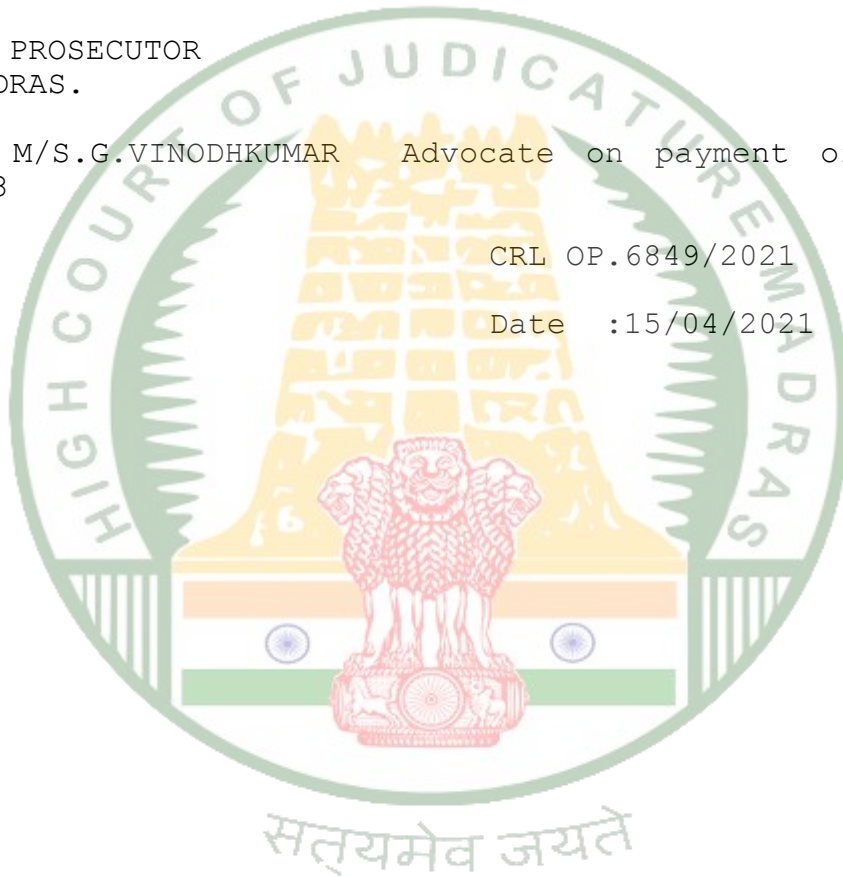
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.G.VINODHKUMAR Advocate on payment of necessary
charges SR.4768

CRL OP.6849/2021

Date :15/04/2021

RVR 21/04/2021



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