

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7083 of 2021

1 T.SARAVANAN
2 A.CHANDRASEKAR

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KUNNAM POLICE STATION,
PERAMBALUR
CRIME NO.130 OF 2021

[RESPONDENT]

For Petitioner : M/S.M.A.RUA Advocate

For Respondent : MR.T.SHUNMUGARAJESWARAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, 341, 427 and 506(i) of IPC in Cr.No.130 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution that there is a wordy quarrel between the petitioners and the defacto complainant, the petitioners abused the defacto complainant in filthy language and broken his cell phone while quarrel. Based on the complaint given by the defact complainant, the complaint was registered.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent and the petitioners were coming near Perambur, the defacto complainant had driven his car rashly and tried to overtake. Hence, a petty quarrel occurred between both the parties.

4.The learned Additional Public Prosecutor submitted that the petitioners broken a cell phone of the defacto complainant worth about Rs.15,000/- due to wordy quarrel.

5. Considering the facts and circumstances of the case and the submissions made on either side, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-II, Perambalur, on condition that the petitioners 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 and on further condition that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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. until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
16/04/2021

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,
PERAMBALUR.

2 THE CHIEF JUDICIAL MAGISTRATE
PERAMBALUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KUNNAM POLICE STATION,
PERAMBALUR

+1CC to M/S.M.A.RUA Advocate on payment of necessary charges
SR NO.4909

CRL OP.7083/2021

Date :16/04/2021

MK:23/04/2021



WEB COPY