

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Saturday, the Seventeenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7169 of 2021

MEGANATHAN @ APPU

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
GUDIYATHAM TOWN
POLICE STATION,
VELLORE DISTRICT
(CR.NO.141/2021)

For Petitioner : M/S.A.SALOMI Advocate

For Respondent : MR.T.SHUNMUGARAJASWARAN,
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), 324 and 506(ii) of IPC. in Crime No.141 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was some wordy quarrel between the parties, due to which the petitioner said to have abused the defacto complainant and pushed him into the well, thereby, the defacto complainant sustained injuries. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioners would submit that the petitioner had not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that due to wordy quarrel the petitioner said to have abused the defacto complainant and pushed him into the well, thereby, the defacto complainant sustained injuries. He would further submit that the injured person had been discharged from the hospital.

However, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and the fact that the injured discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Gudiyatham** 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 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 Court concerned 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 shall report before the respondent police on every Monday at 10.30 a.m. for a period of four 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]**; and;

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

-sd/-

17/04/2021

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,GUDIYATHAM.

2.THE CHIEF JUDICIAL MAGISTRATE,
VELLORE.(FOR INFORMATION)

3.THE INSPECTOR OF POLICE,
GUDIYATHAM TOWN POLICE STATION,
VELLORE DISTRICT

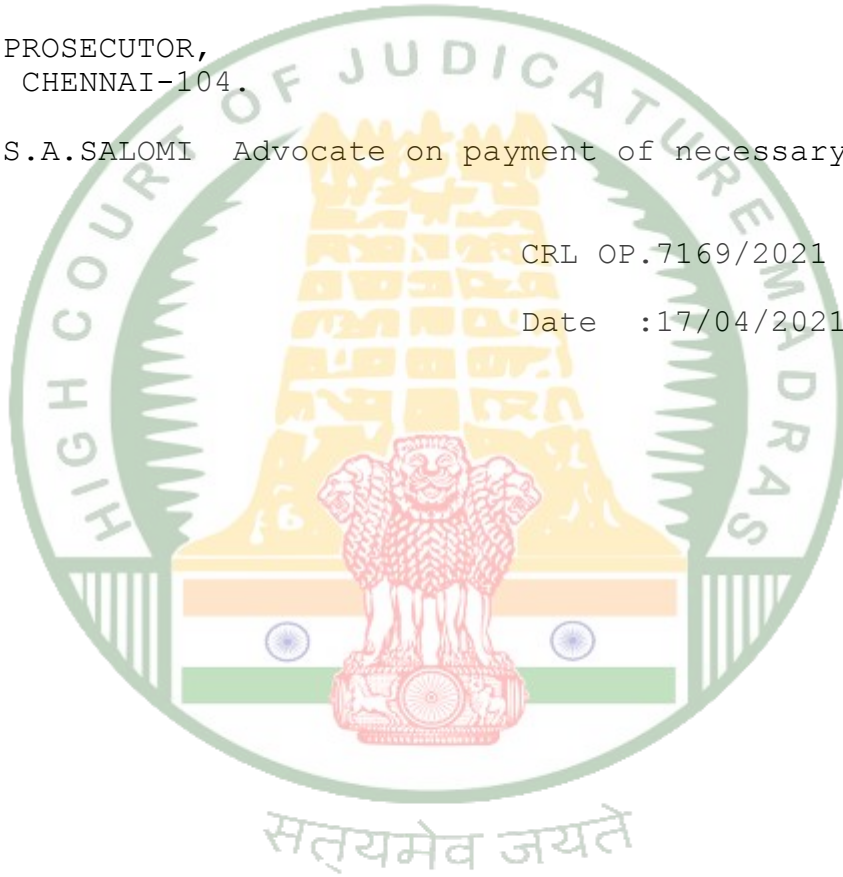
4.THE PUBLIC PROSECUTOR,
HIGH COURT, CHENNAI-104.

CC to M/S.A.SALOMI Advocate on payment of necessary charges

CRL OP.7169/2021

Date :17/04/2021

RG.30.04.2021



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