

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Twenty Eighth day of April Two Thousand Twenty
One

PRESENT

The Hon'ble Mr.Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.7973 of 2021

KARUNA

[PETITIONER / ACCUSED No.4]

THE STATE REP.BY
INSPECTOR OF POLICE, P6,
KODUNGAIYUR POLICE
STATION, CHENNAI.
(CRIME.NO.650 OF 2020)

Vs

[RESPONDENT]

For Petitioner : M/S.S.AMBEDKAR Advocate

For Respondent : Mr.T. SHUNMUGA RAJESWARAN Government Advocate
(Criminal Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 307, 188, 269 and 506(ii) of IPC in Crime No.650 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused persons attacked the defacto complainant with deadly weapons and caused severe injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner did not commit any offence as alleged by the prosecution. Hence, he sought for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the respondent police submitted due to previous enmity the petitioners have assaulted the defacto complainant and caused injuries. He further submitted that the injured has been

discharged from the hospital and the petitioner has one previous case similar in nature. The learned counsel further submitted that already A1 was arrested and released on bail by the lower Court.

5. Taking into consideration the facts and circumstances of the case and also the submission of the learned Government Advocate that the injured has been discharged from 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 X Metropolitan Magistrate, Egmore, on condition that the petitioner shall execute 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 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 as and when required for interrogation.

(c) the petitioners 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/-
28/04/2021

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 X METROPOLITAN MAGISTRATE
EGMORE, CHENNAI
2. THE CHIEF METROPOLITAN MAGISTRATE
EGMORE, CHENNAI (For information)
3. THE INSPECTOR OF POLICE,
P6, KODUNGAIYUR POLICE STATION,
CHENNAI.
4. THE PUBLIC PROSECUTOR
HIGH COURT MADRAS 104.

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

सत्यमेव जयते CRL OP.7973/2021

Date :28/04/2021

SP(24/06/2021)

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