

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.05.2021

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CRL.OP.No.8595/2021

Anbuvel Balasundaram

.. Petitioner

Versus

State rep.by
The Inspector of Police
Arni Town Police Station,
Tiruvannamalai District.
[Crime No.146/2021]

... Respondent

Prayer:- Criminal Original Petition filed under Section 439 of the Code of Criminal Procedure seeking to enlarge the petitioner on bail in Crime No.146/2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham for
Mr.L.Prem Kumar

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

- (1) The petitioner, who was arrested and remanded to judicial custody on 20.03.2021 for the offences punishable under Sections 294[b], 324, 307 and 506[iii] of IPC in Crime No.146/2021 on the file of the respondent police, seeks bail.
- (2) The case of the prosecution is that the petitioner was running an Unauthorised Chit to which nearly 132 persons/subscribers including the defacto complainant, had contributed the amount and on completion of chit period, when the defacto complainant

demanded his amount of Rs.6 Lakhs, the petitioner said to have attacked the complainant with wooden log and caused injuries on his right shoulder. Hence, the complaint.

- (3) The learned counsel for the petitioner submitted that the petitioner is innocent and that the injured person has been discharged from the hospital and since the petitioner is in judicial custody from 20.03.2021, he seeks the release of the petitioner on bail subject to any stringent conditions.
- (4) The learned Additional Public Prosecutor strongly opposes this petition on the ground that the petitioner had cheated, not only the defacto complainant but also other persons and they are looking for the petitioner to take revenge and he would further add that if at all this Court is inclined to release the petitioner on bail, the petitioner may be directed to stay outside.
- (5) Taking note of the rival submissions and also of the fact of the period of incarceration undergone by the petitioner and that the injured has already been discharged from the hospital, this Court is inclined to grant bail to the petitioner subject to stringent conditions.
- (6) Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate, Arani 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 petitioner shall **STAY AT KANCHIPURAM AND REPORT BEFORE THE VISHNU KANCHI POLICE STATION** daily at 10.00 a.m. and 5.00 p.m., until further orders.
 - c) the petitioner shall not abscond either during investigation or trial.
 - d) the petitioner 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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
12/05/2021

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
ARANI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI DISTRICT. (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
ARNI TOWN POLICE STATION,
TIRUVANNAMALAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON-2, VELLORE.

5 THE INSPECTOR OF POLICE /
STATION HOUSE OFFICER, VISHNU KANCHI POLICE
STATION, KANCHIPURAM.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.L.PREM KUMAR Advocate on payment of necessary charges SR.No. 6070

CRL OP.8595/2021

Date :12/05/2021

rg.13.05.2021