

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.9613 of 2021

T.Murugan

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Town Police Station,
Gudiyattam.
(Crime No.204 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest
in Crime No.204 of 2021 on the file of the respondent police.

For Petitioner : Mr.B.Lenin Balu

For Respondent : Mr.A.Damodaran
Government Advocate (Crl side)

O R D E R

The petitioner who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 294(b),
323 and 506(I) of IPC in Crime No.204 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that due to personal enmity
there was a quarrel between the petitioner and the defacto complainant
and it is alleged that the petitioner assaulted the defacto
complainant and abused him in unparliamentary words. Hence, the
complaint.

3. The learned counsel for the petitioner would submit that the
petitioner is an innocent person and he has not committed any offence
as alleged by the prosecution. Therefore, he prays to grant
anticipatory bail to the petitioner.

4. The learned Government Advocate appearing for the respondent
would submit that the petitioner attacked the defacto complainant and
he has not sustained any injury. However, he opposed to grant
anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and the fact that the defacto complainant has not sustained any injury, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of normal functioning of the Court below, (i.e.,) before the learned the Judicial Magistrate, Gudiyatham, Vellore District 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate 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 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 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 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 abscond/s, a fresh FIR can be registered under Section 229A IPC.

-sd/-
27/05/2021

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,
GUDIYATHAM, VELLORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
GUDIYATTAM.

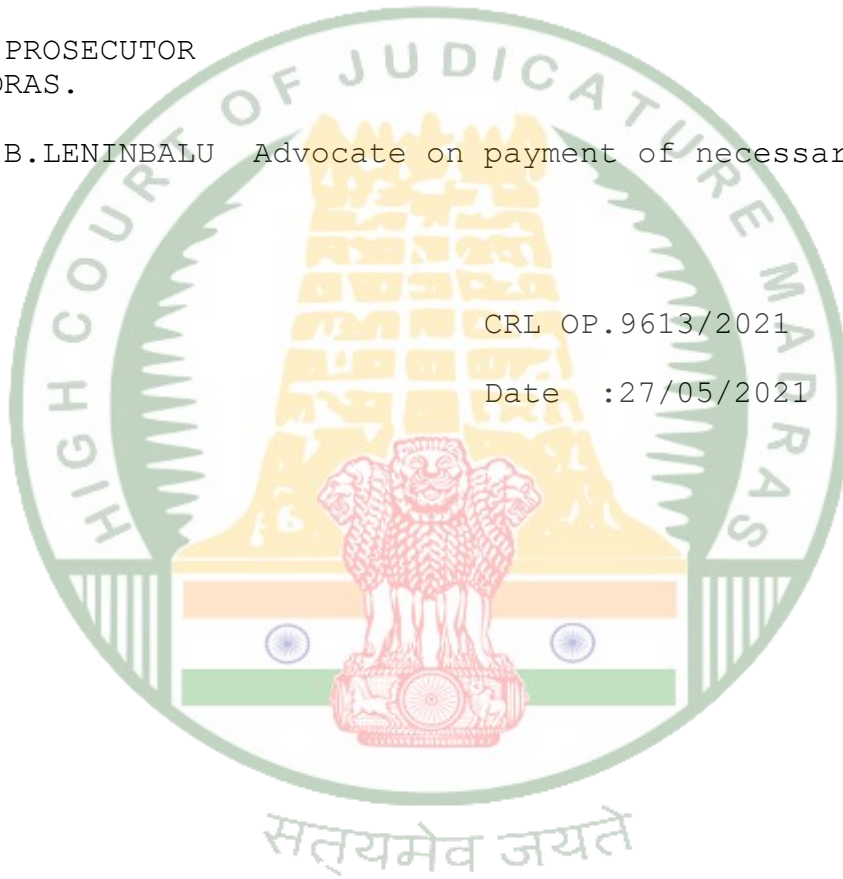
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.9613/2021

Date :27/05/2021

RVR 05/07/2021



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