

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2021

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

Crl.O.P.No.10070 of 2021

Pandithennavan

... Petitioner

Vs.

The State rep. by  
The Inspector of Police,  
Vaduvur Police Station,  
Tiruvarur District.  
(Crime No.332 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 connection with Crime No.332 of 2021, on the file of the respondent police.

For Petitioner : Mr.S.Kingston Jerold

For Respondent : Mr.L.Baskaran  
Government Advocate (Crl.side)

O R D E R

(The case has been heard through video conference)

The petitioner apprehends arrest by the respondent police for the offences punishable under Sections 294(b), 324 and 506 (ii) I.P.C. in Crime No. 332 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are neighbours and due to a wordy quarrel, the petitioner assaulted the defacto complainant which resulted in him sustaining minor head injuries.

3. However, it is the case of the petitioner that he is innocent and he is no way connected with the alleged offence and a false case has been foisted against him.

4.The learned Government Advocate (Crl.side) would submit that the de facto complainant was treated as an out patient in a hospital.

5. After giving due consideration to the afore mentioned factors and in view of the fact that the injury sustained by the de facto complainant is minor, this Court is inclined to grant anticipatory bail to the petitioner subject to the fulfilment of the following 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 fifteen days from the date of lifting of lock down or the commencement of Courts normal functioning whichever is earlier, before the learned Judicial Magistrate-I, Mannargudi, 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 conditions 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 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].

[f] If the accused thereafter abscond/s, a fresh FIR can be registered under Section 229A IPC.

-sd/-  
09/06/2021

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.I,  
MANNARGUDI.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVARUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
VADUVUR POLICE STATION,  
TIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

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

CRL OP.10070/2021

Date : 09/06/2021

MK:12/07/2021

WEB COPY