



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2021

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

Crl.O.P.No.10074 of 2021

Jagadeesh @ Jagadeshwaran

... Petitioner

Vs.

State by
The Inspector of Police,
Nandambakkam Police Station,
Chennai.
(Crime No. 122 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C., praying to release the accused on Bail in the event of arrest by the respondent in relation to FIR in Crime No.122 of 2021 on the file of the Inspector of Police, Nandambakkam Police Station, Chennai.

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

ORDER

(The case has been heard through video conference)

The petitioner who apprehends arrest by the respondent Police for the alleged offences punishable under Sections 294(b), 323, 324 & 506(ii) of IPC, in Crime No. 122 of 2021 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner abused the defacto complainant namely Arunpandian with filthy language and also attacked him with hands. A counter complaint has also been given by the petitioner against the defacto complainant wherein the FIR was registered as Crime No.121 of 2021.

4.The learned Government Advocate (Crl.side) appearing for the respondent would submit that insofar as the counter case in Crime No.121 of 2021 is concerned, the accused therein viz., Arunpandian who is the defacto complainant in Crime No.122 of 2021, has been granted anticipatory bail by this Court and in that case, the said Arunpandian is also an accused for committing the same offences as has been alleged in Crime No.122 of 2021 where the petitioner herein was made as A3.



5. After giving due consideration to the afore mentioned factors and in view of the fact that there was a counter complaint and the defacto complainant in the counter complaint has been granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner subject to the fulfilment of 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 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, Alandur**, 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/-
11/06/2021

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.



1 THE JUDICIAL MAGISTRATE,
NO.I, ALANDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
NANDAMBAKKAM POLICE STATION,
CHENNAI.

+1 CC to M/S.A.ASHWINKUMAR Advocate on payment of necessary
charges SR.NO.6465

CRL OP.10074/2021

Date :11/06/2021

TA-30/06/2021