

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.10644 of 2021

Ganesh Adithya Chakravarthy

... Petitioner

Vs.

State by
Inspector of Police,
F1- Chindhadripet Police Station,
Chennai District.
(Crime No.63 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C prayed to enlarge him on bail in the event of his arrest by the respondent police concerned in Crime No.63 of 2021 on the file of the Inspector of Police, F1- Chindhadripet Police Station, Chennai District.

For Petitioner : Mr.K.Chandru

For Respondent : Mr.C.E.Pratap
Government Advocate (CrI.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323, and 506(i) of IPC in Crime No.63 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that on 09.04.2021 due to the wordy quarrel between the petitioner and the defacto complainant's husband, the petitioner abused the defacto complainant and her husband in a filthy language and tried to assault them with hands and threatened them with dire consequences. Hence, the defacto complainant has registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that when the petitioner is crossing the road for taking tea from the tea shop, the husband of the defacto complainant and his friends picked a wordy quarrel with the petitioner and assaulted him. Since the petitioner had lodged a

complaint against her husband and the case was registered against him in Crime No.62 of 2021, for which, counter blast was filed by the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that due to wordy quarrel between the petitioner and the husband of the defacto complainant, the petitioner abused and assaulted the defacto complainant and her husband and also threatened them with dire consequences. In this regard, no one sustained injuries. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case, 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 XIV Metropolitan Magistrate, Egmore, Chennai 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 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 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 petitioners 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/-
21/06/2021

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 XIV METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
F1 - CHINDHADRI PET POLICE STATION,
CHENNAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. K.CHANDRU Advocate on payment of necessary charges
SR.NO. 6718

सत्यमेव जयते

CRL OP.10644/2021

Date :21/06/2021

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