



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Thirtieth day of July Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13202 of 2021

1 ASHWANTH @PUNNIANATHAN [PETITIONER / ACCUSED]
2 SATHIESHVARATHU @ PUNNIYAKOTTI

Vs

STATE REP.BY ITS [RESPONDENT]
THE INSPECTOR OF POLICE,
S8 POLICE STATION,
ADAMBAKKAM.
CR.NO.285 OF 2021.

For Petitioner : M/S.V.POORNIMADEVI Advocate

For Respondent : M/S. A.GOPINATH, Govt. Advocate (CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence under Sections 294(b), 452, 324 and 506(ii) of IPC, in Crime No.285 of 2021, seek anticipatory bail.

2.The case of the prosecution is that there were some family dispute between the petitioners and the defacto complainant and as such there were some wordy quarrel between them. Due to which, the defacto complainant has lodged a complaint and hence, the Law Enforcing Agency has registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the co-accused A1 was arrested and remanded to judicial custody on 23.07.2021. Hence, he prays for grant of anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl.Side) submits that the injured person has been discharged from the hospital and there is no previous case pending against the petitioners.

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5. Considering the fact that the injured has been discharged from the hospital and there is also no previous case against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I. Alandure, on condition that each of the petitioners shall execute a separate bonds 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 petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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/-

30/07/2021

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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
ALADURE.

2 THE CHIEF JUDICIAL MAGISTRATE
KANCHEEPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
S8 POLICE STATION,
ADAMBAKKAM

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.V.POORNIMADEVI Advocate on payment of necessary charges SR.No.7976

CRL OP.13202/2021

Date :30/07/2021

APN 10/08/2021