



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twelfth day of August Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.13568 of 2021

1 M.RAJA	[PETITIONERS / ACCUSED]
2 V.CHINNAIYAN	
3 PRABHAKARAN	
4 S.VIJAYABALAN	
5 VEERA CHANDRAN	
6 B.PREMKUMAR	
7 SATHISH	
8 RAJA	
9 RAMU	
10 AJITHKUMAR	
11 SUNDARAM	

Vs

STATE REP.BY	[RESPONDENT]
THE INSPECTOR OF POLICE,	
M-5, ENNORE POLICE STATION,	
CHENNAI.	
CRIME NO. 606/2021	

For Petitioner : M/S.R.THAMARAISELVAN Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147,148,294(b), 323,324 and 506(ii) of IPC in Crime No.606 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are neighbours. It is alleged that due to previous enmity the petitioners abused the defacto complainant and assaulted the defacto complainant and thereby he sustained injuries Hence the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.



4. Heard the learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioners attacked and caused injuries to the defacto complainant. He further submits that the injured discharged from the hospital. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the injured discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners 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 Judicial Magistrate, Thiruvottiyur on condition that the petitioners shall execute a separate 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 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 daily at 10:30 a.m for a period of two weeks and thereafter as an 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 petitioners 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.

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-sd/-
12/08/2021

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,
THIRUVOTTIYUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
THIRUVALLUR DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
M-5, ENNORE POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.THAMARAISELVAN Advocate on payment of necessary charges SR.NO.8466

CRL OP.13568/2021

Date :12/08/2021

INBA 23/08/2021