



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14210 of 2021

SAGAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ANCHETTY POLICE STATION,
KRISHNAGIRI DISTRICT.
CRIME No.99/2021

[RESPONDENT]

For Petitioner : M/S.E.KANNADASAN Advocate

For Respondent : M/S. 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 case has been heard through video conference)

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 147, 148, 294(b), 307 of IPC in Crime No.99 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the petitioner and the defacto complainant, the petitioner along with other persons attacked the defacto complainant with Vicharuval. Thereby, the defacto complainant had sustained injuries. Hence, the complaint.

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 the co-accused were arrested and enlarged on bail by the learned Principal District and Sessions Judge, Krishnagiri in Crl.MP.Nos.1094 and 1095 of 2021 dated 16.07.2021. Hence, he prays for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.Side) submits that due to previous enmity between the parties, the petitioner along with others attacked the defacto complainant with Vicharuval and caused injuries to him. He further submits that the injured was treated as out-patient. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and the submissions made by both counsels, 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 District Munsif-Cum-Judicial Magistrate, Denkanikottai 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.

WEB COPY

-sd/-

18/08/2021

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 DISTRICT MUNISIF CUM
JUDICIAL MAGISTRATE, DENKANIKOTTAI

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ANCHETTY POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.E.KANNADASAN Advocate on payment of necessary charges SR.No.8772

CRL OP.14210/2021

Date :18/08/2021

APN 03/09/2021