



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

Wednesday, the Eighteenth day of August Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14605 of 2021

PARAMASIVAM

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE SUB INSPECTOR OF POLICE,
VANDAVASI NORTH POLICE STATION,
THIRUVANNAMALAI DISTRICT.

For Petitioner : M/S. G.KARTHEEBAN Advocate

For Respondent : MR.A.GOPINATH, 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 294(b), 323 and 506 (i) of IPC in Crime No.383 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused abused the defacto complainant and his wife with filthy language and kicked the defacto complainant with legs and also threatened them with dire consequences. Thereby, the defacto complainant and his wife 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 injured has discharged from the hospital. 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 other accused abused the defacto complainant and his wife with filthy language and kicked the defacto complainant with legs and also threatened them with dire consequences. Thereby, the defacto complainant and his wife had sustained injuries. He further submits that the injured has discharged from the hospital. However, he vehemently opposed for grant of anticipatory bail to the petitioner.



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

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Vandavasi, 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/-

18/08/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY



TO

1 THE JUDICIAL MAGISTRATE,
VANDAVASI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION].

3 THE SUB INSPECTOR OF POLICE,
VANDAVASI NORTH POLICE STATION,
THIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. G.KARTHEEBAN Advocate on payment of necessary
charges SR.NO. 8717

CRL OP.14605/2021

Date :18/08/2021

JPA 31/08/2021