



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14706 of 2021

1 SENTHILKUMAR
2 CHANDRASEKAR
3 MANI

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
GUINDY POLICE STATION,
GUINDY, CHENNAI
CRIME NO.975/2020

[RESPONDENT]

For Petitioners : M/S.S.SATHYARAJ Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)
[IN CRL.O.P.No.14706/2021]

MR.S.BALAJI, Govt. Advocate (Crl. Side)
[IN CRL.M.P.No.11926/2021]

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 alleged offence under Sections 294(b), 323, 353 & 506(1) of IPC in Cr.No.975 of 2020, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the other accused had a quarrel with the defacto-complainant when he was in police duty and threatened with dire consequences. Further the case of the prosecution is that the when the petitioners were travelling in bike, the defacto-complainant intercepted the bike and harassed the petitioners and there was a wordy quarrel between the



defacto-complainant and the petitioners. Therefore the Defacto-complainant lodged a complaint against the petitioners. Hence this complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners were harassed by the defacto-complainant unnecessarily. In order to revenge the petitioners, the respondent has registered a false case against the petitioner. Hence prays for grant of anticipatory bail.

4.The learned Additional Public Prosecutor submitted that the investigation is pending in this case and there are no previous cases against the petitioners. He further submitted that A1 was already granted anticipatory bail in CrI.O.P. No. 9981 of 2021 dated 10.06.2021.

5. Considering the facts and circumstances of the case, since the co-accused is enlarged on anticipatory bail, 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 IX Metropolitan Magistrate Court, Saidapet, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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)if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)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;

(c)the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;



(f) 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;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
19/08/2021

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.

(*) AMENDED AND ALL OTHER CONDITIONS REMAIN UNALTERED, AS PER ORDER OF THIS COURT DATED 22/11/2021 MADE IN CRL.MP.No.11926 OF 2021 IN CRL.O.P.NO.14706 OF 2021

TO

**(*) 1 THE METROPOLITAN MAGISTRATE,
NO.IX, SAIDAPET.**

2 THE METROPOLITAN MAGISTRATE,
NO.V, SAIDAPET.

3 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION].

4 THE INSPECTOR OF POLICE,
GUINDY POLICE STATION,
GUINDY, CHENNAI.



5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.SATHYARAJ Advocate on payment of necessary charges

CRL OP.14706/2021

Date :19/08/2021

JPA 02/09/2021

JPA 29/11/2021