



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Third day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14935 of 2021

MANI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
THIRUMANGALAM POLICE STATION,
CHENNAI 600 040.
CRIME NO. 586 OF 2021.

[RESPONDENT]

For Petitioner : M/S. S.MAREESWARAN 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 petitioner, who apprehends arrest for the alleged offence punishable under Section 341, 294-B, 323, 506(ii) IPC r/w 4 of TNPHW Act 2002 in Crime No.586 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between accused persons and the defacto complainant regarding the common pathway. In this connection, A1 has attacked the defacto complainant's son, the same was questioned by the defacto complainant. Due to which, the petitioner/A2 along with A1 have abused the defacto complainant with filthy language and attacked her with hands and caused injuries and also threatened them with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that due to previous civil dispute, the defacto complainant has lodged a



false complaint against the petitioner and he is in no way connected with the offence as alleged by the prosecution. He further submits that A1 was arrested and remanded to judicial custody. Therefore, he prays for grant of anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl.Side) submits due to previous enmity between the petitioner and the defacto complainant, the present complaint has been filed. He further submits that the injured has been discharged from the hospital. However, he vehemently opposed for grant of anticipatory bail to these petitioner.

5. Considering the fact that the injured has discharged from the hospital, this court is inclined to grant anticipatory bail to these 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 Additional Mahila Metropolitan Magistrate, Egmore, Chennai, 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.

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-sd/-
23/08/2021

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 ADDITIONAL MAHILA METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THIRUMANGALAM POLICE STATION,
CHENNAI 600 040.

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

CRL OP.14935/2021

Date :23/08/2021

RW 08/09/2021