



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Thirty First day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15615 of 2021

SUBRAMANI

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
VANIYAMBADI TALUK POLICE STATION,
THIRUPATHUR DISTRICT.
CRIME NO.461 OF 2021.

[RESPONDENT]

For Petitioner : M/S S.SASIKUMAR 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 petitioner, who apprehends arrest for the alleged offence punishable under Sections 294(b), 323, 307 and 506(ii) in Crime No.461 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a family dispute between the petitioner and the defacto complainant regarding common pathway dispute. In this connection, the petitioner along with others has attacked the defacto complainant and his father with knife and abused them with filthy language and also threatened them with dire consequences. Thereby, the defacto complainant's father 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 was arrested by the respondent police and further submits that injured has been discharged from the hospital.



4. The learned Government Advocate (Crl.Side) submits that there was a wordy quarrel between the petitioner and the defacto complainant regarding common pathway, the present complaint has been filed. He further submits that the injured has been discharged from the hospital.

5. Considering the fact that the injured has been discharged from the hospital 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 Judicial Magistrate, Vaniyambadi 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/-
31/08/2021

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

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION].

3 THE JUDICIAL MAGISTRATE,
VANIYAMBADI.

3 THE INSPECTOR OF POLICE,
VANIYAMBADI TALUK POLICE STATION,
THIRUPATHUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S S.SASIKUMAR Advocate on payment of necessary
charges SR.NO.9405

CRL OP.15615/2021

Date :31/08/2021

JPA 21/09/2021