



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16245 of 2021

CHANDRAN

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
POONAMALLEE POLICE STATION,
POONAMALLEE,
THIRUVALLUR DISTRICT.
CR.NO.1274/2021.

For Petitioner : M/S. A.P. SATHYA MURTHY 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 and 506(2) and 324 of IPC** in Crime No.1274 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that a divorce petition is pending before the competent court against the petitioner's son and daughter-in-law. In this connection, they came to court to attend the case and his grand daughter also accompanied with her mother. At that time, the petitioner and his son went to her and talked with her, the same was questioned by the advocate who appearing on behalf of her daughter-in-law. Due to which, there was a wordy altercation in between them and the petitioner's son had assaulted the defacto complainant with hands. Thereby, the defacto complainant/advocate 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 released on bail this court in Crl.OP.No.15570 of 2021 dated 31.08.2021. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submits that there was a case in counter and the injured has been taken treatment as outpatient.

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5.Considering the fact that the injured has been taken treatment as outpatient and also the fact that there was a case in counter, 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 II, Poonamalle, Thiruvallur District* 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/-

08/09/2021

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

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

[*] Amended and Time granted by this Court in the Order passed in Crl.OP.No.16245 of 2021 dated 08.09.2021 is extended by a period of two weeks from the date of receipt of a copy of this order for the purpose of executing the sureties and complying with the conditions imposed on the petitioner. as per order of this Court dated 26/10/2021 made in CRL.MP.Nos.10835 & 10837 OF 2021. in CRL.O.P.NO.16245 OF 2021.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, POONAMALLEE, THIRUVALLUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
POONAMALLEE POLICE STATION,
POONAMALLEE,
THIRUVALLUR DISTRICT.

+2 CC to M/S. A.P. SATHYA MURTHY Advocate on payment of
necessary charges SR.NO.11992, 11993

CRL OP.16245/2021

Date :08/09/2021

TA-27/09/2021

TA-17/11/2021