



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fourteenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16867 of 2021

1 AUGUSTIN [PETITIONER / ACCUSED]
2 PRASKILLA
3 MARY

Vs

STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
PATTABIRAM POLICE STATION,
THIRUVALLUR DISTRICT
(CRIME NO.1102/2021)

For Petitioner : M/S R.SASIKUMAR Advocate

For Respondent : M/S. A.GOPINATH, Govt. Advocate (Crl. Side)

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 147, 447, 294 (b), 323, 324 & 506(ii) of I.P.C in Cr.No.1102 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioners have abused and assaulted the De-facto Complainant and thereby, the De-facto Complainant had suffered injuries. Hence the Complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioners have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of Anticipatory Bail.

4.The learned Additional Public Prosecutor submitted that the investigation is pending in this case and the injured has been discharged from the hospital.



5. Considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

WEB COPY

6. Accordingly, the petitioners are granted anticipatory bail and they 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 Judicial Magistrate-II, Thiruvallur, 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) (i) the petitioner/A1 shall report before the respondent police daily at 10.30 a.m. until further orders;

(ii) In so far as the Petitioners/A1 & A2 are concerned, they shall report before the respondent police as and when required 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;s

(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.

WEB COPY

-sd/-

14/09/2021

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 JUDICIAL MAGISTRATE, NO.II,
THIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PATTABIRAM POLICE STATION,
THIRUVALLUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S R.SASIKUMAR Advocate on payment of necessary charges
SR.No.9970

CRL OP.16867/2021

Date :14/09/2021

APN 24/09/2021