



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Third day of September Two Thousand Twenty One
PRESENT

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The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.17445 of 2021

1 JANAKIRAMAN
2 KOWSHICK

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
K-4, ANNA NAGAR POLICE STATION,
CHENNAI DISTRICT.
(CRIME NO.643/2021)

[RESPONDENT]

For Petitioner : M/S.S.N.ARUNKUMAR 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 petitioners who apprehend arrest for the alleged offence under Sections 384 and 506(i) of IPC in Cr.No.643 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was property dispute between A-3, petitioner/A-2 and the defacto complainant for which the petitioners/A-1 and A-2 trespassed the defacto complainant's house and abused in filthy language and also intimidated with dire consequences. For settling the issue, the defacto complainant lodged a complaint against the petitioners.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution. He further submits that after registration of the FIR, A-3 passed away and also submits that an undertaking affidavit has been filed by the petitioners stating that hereafter, they will not visit or make any threat to the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl side) submits that the defacto complainant called the petitioners to his house for compromise but the petitioners intimidated him with dire consequences. Hence, he vehemently opposed for granting anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and an undertaking affidavit filed by the petitioners stating that hereafter, they will not visit or make any threat to the defacto complainant, 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 V-Metropolitan Magistrate Court, Egmore, 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)the petitioners 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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 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;



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

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-sd/-
23/09/2021

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 V METROPOLITAN MAGISTRATE COURT,
EGMORE.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
K-4, ANNA NAGAR POLICE STATION,
CHENNAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.N.ARUNKUMAR Advocate on payment of necessary charges SR.NO.10511

CRL OP.17445/2021

Date :23/09/2021

INBA 01/10/2021