



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Twenty Second day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17558 of 2021

CHINNADURAI

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE SUB INSPECTOR OF POLICE,  
VADAKIPALAYAM POLICE STATION,  
COIMBATORE DISTRICT  
(CRIME NO.313/2021)

[ RESPONDENT ]

For Petitioner : M/S D.R.ARUN KUMAR 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 apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324, 506(2) I.P.C, in Crime No.313 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that there was a property dispute between the petitioner and the defacto complainant. Due to which there was a quarrel arose between them and attacked each other. Hence, the Law Enforcing Agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner did not committed any offence as alleged by the prosecution and he have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.Side) would submit that there was a property dispute between the petitioner and defacto complainant. Due to which they attacked each other. He would further submits that no one sustained injuries. However, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the fact and circumstances of the case, this Court 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.1,Udumalpet 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 petitioner 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/-

22/09/2021

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.I, UDUMALPET.

2 THE CHIEF JUDICIAL MAGISTRATE  
COIMBATORE DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,  
VADAKIPALAYAM POLICE STATION,  
COIMBATORE DISTRICT

+1 CC to M/S D.R.ARUN KUMAR Advocate on payment of necessary charges SR.NO.10444

CRL OP.17558/2021

Date :22/09/2021

RW 04/10/2021