



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.18518 of 2021

(*) V. KARAN

[PETITIONER / ACCUSED]

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
E-1, PONNERI POLICE STATION,
THIRUVALLUR DISTRICT.
(CRIME NO.477 OF 2021)

[RESPONDENT]

For Petitioner : M/S.M.VINOTH Advocate

For Respondent : MR. A.GOPINATH, Govt. Advocate (Crl. Side)
[DATED 04.10.2021]

MR.S.SUGENDRAN, Govt. Advocate (Crl. Side)
[DATED 19.11.2021]

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 under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) and 307 of IPC in Cr.No.477 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused persons abused the de-facto complainant using filthy language and attacked him using knife and wooden log and threatened him with dire consequences and the de-facto complainant sustained injuries. Hence, the Law Enforcing Agency registered a case against the petitioner and other accused persons based on the complaint lodged by the de-facto complainant.



3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution. He further submits that due to previous enmity between the accused A1 and the de-facto complainant, there arose a wordy quarrel between them and the defacto complainant had sustained only simple injuries. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl side) submits that injured person has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the injured has been discharged from the hospital, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, No.I, Ponneri, 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/-
04/10/2021

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.

(*) Being mentioned as per order of this Court dated 19/11/2021 made in CRL.OP.NO.18518/2021

TO

1 THE JUDICIAL MAGISTRATE NO.I,
PONNERI.

2 THE CHIEF JUDICIAL MAGISTRATE,
TIRUVALLUR DISTRICT (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
E-1, PONNERI POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.M.VINOTH Advocate on payment of necessary charges
SR.NO.13087

CRL OP.18518/2021

Date :04/10/2021

INBA-18/10/2021

JPA 25/11/2021