



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.19196 of 2021

C.K.Raju

... Petitioner

Vs.

The State Represented by :-
Inspector of Police,
J-3, Guindy Police Station,
Chennai - 600 032
(Crime No.235 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C prayed to enlarge the petitioner on bail in Crime No.235 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.G. Krishnamurthy

For Respondent : Mr.A.Gopinath
Government Advocate (Criminal Side)

ORDER

The petitioner who was arrested and on 23.09.2021 and remanded to judicial custody for the alleged offence under Sections 457, 380, 465, 294(b) and 506(2) of IPC in Cr.No.235 of 2021 on the file of the respondent police, seeks anticipatory bail. on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner is the brother of the defacto complainant. Due to civil dispute between them, the petitioner quarrelled with the defacto complainant and vacated her from the disputed property. Based on the complainant lodged by the defacto complainant, the Law Enforcing Agency registered a case against the petitioner.

3.The learned counsel for the petitioner would submit that already this Court granted Anticipatory bail to the petitioner in Cr1.O.P.No.11816 of 2021 vide order dated 09.07.2021 and the M.P petition filed by the petitioner in Cr1.M.P.No.8329 of 2021 was dismissed by this Court imposing a cost of Rs.10,000/-, he was arrested and remanded to judicial custody on 23.09.2021. Hence, he



prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits there is one previous case pending against the petitioner which is of 506(ii) of I.P.C and he did not dispute any facts submitted by the learned counsel for the petitioner. Hence he opposed for grant of bail to the petitioner.

5. Considering the facts of the case and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned IX Metropolitan Magistrate, Saidapet, Madras and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate 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. until further orders;

(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.

-sd/-

08/10/2021

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.



TO

1 THE IX METROPOLITAN MAGISTRATE
SAIDAPET, MADRAS

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI

3 THE INSPECTOR OF POLICE,
J-3, GUINDY POLICE STATION,
CHENNAI - 600 032

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE
SUB JAIL, SAIDAPET, CHENNAI

+1 CC to M/S. G.KRISHNAMURTHY Advocate on payment of necessary
charges SR.No.11246

CRL OP.19196/2021

Date :08/10/2021

APN 08/10/2021