



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of October Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice SATHI KUMAR SUKUMARA KURUP

CRIMINAL ORIGINAL PETITION No.19337 of 2021

1 L.BASKAR

[PETITIONERS / ACCUSED]

2 L.BABU

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
PALLAVARAM POLICE STATION,
CHENNAI GREATER POLICE,
CHENNAI.

CR.NO. 532 OF 2021.

For Petitioner : M/S. S.VIJAYAKUMAR Advocate

For Respondent : MR. L.BASKARAN, 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 294(b) and 506(i) of I.P.C in Crime No.532 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there is a dispute between the landlord and the tenant and the rent control proceedings are pending between the parties. On the date of occurrence, wordy quarrel arose between the petitioners and the defacto-complainant, due to which, the petitioners abused the defacto-complainant with filthy language and assaulted with hands and threatened her. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are no way connected with the alleged offence and they have been falsely implicated in this case. Hence prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) submits that the petitioners have not caused any injury to the defacto complainant and there are no previous cases pending against the petitioners.



5. Considering the fact that there is no injury caused by the petitioners and further there is also no previous case against the petitioners, 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 Judicial Magistrate No.II, Tambaram 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. until further orders;

(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.

-sd/-
12/10/2021

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 JUDICIAL MAGISTRATE,
TAMBARAM.

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

3 THE INSPECTOR OF POLICE,
PALLAVARAM POLICE STATION,
CHENNAI GREATER POLICE,
CHENNAI.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S. S.VIJAYAKUMAR Advocate on payment of necessary
charges SR.NO.11423

CRL OP.19337/2021

Date :12/10/2021

INBA-20/10/2021