



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

Tuesday, the Twenty Sixth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19847 of 2021

VISHAL

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP BY  
THE INSPECTOR OF POLICE,  
S-1 ST.THOMAS MOUNT POLICE STATION,  
GREATER CHENNAI CITY  
CR NO. 274/2021

[ RESPONDENT ]

For Petitioner : M/S.M.BALAJI Advocate

For Respondent : M/S. 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 apprehends arrest for the alleged offence under Sections 341, 323, 392, 294(b), 506(ii) in Cr.No.274 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there arose quarrel between the petitioner and the defacto complainant while doing contract work and due to the said quarrel, the petitioner along with other accused persons had not permitted the defacto complainant to do his work and thereafter, they have snatched the mobile phone and taken away a sum of Rs.5,000/- from the defacto complainant and also threatened him with dire consequences. Hence, the law enforcing agency registered a case against the petitioner.

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



4. The learned Government Advocate (Crl. side) submits that the petitioner with other accused persons have snatched the mobile phone and a sum of Rs.5,000/- that belong to the defacto complainant and threatened him with dire consequences. He further submits that there is one previous case pending against the petitioner. Hence, he vehemently opposed for granting anticipatory bail to the petitioner.

5 Considering the allegation levelled against the petitioner and it appears to be business dispute between the petitioner and the defacto complainant, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-I, Alandur, Chennai, 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 is directed to 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.

WEB COPY

-sd/-

26/10/2021

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,  
NO.I, ALANDUR, CHENNAI

2 THE CHIEF JUDICIAL MAGISTRATE  
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
S-1 ST.THOMAS MOUNT POLICE STATION,  
GREATER CHENNAI CITY

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.M.BALAJI Advocate on payment of necessary charges  
SR.No.11795

CRL OP.19847/2021

Date :26/10/2021

APN 15/11/2021