



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

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

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PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.19921 of 2021

C.ASHOK

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PADALUR POLICE STATION,
PERAMBALUR DISTRICT.
TAMILNADU.
CR.NO.564/2021.

[RESPONDENT]

For Petitioner : M/S.G.MANIPRABHU Advocate

For Respondent : MR. C.E.PRATAP, 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 Section 353 & 506(i) of IPC in Cr.No.564 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein is a call taxi driver. Due to previous dispute between the petitioner and the other taxi drivers, the petitioner gave a complaint in Crime No.563 of 2021 before the respondent police and subsequently, the petitioner was called for an enquiry. At the time of enquiry, the petitioner went out of the police station and poured kerosene on him and threatened the defacto complainant. Thereby, the defacto complainant, who is a police constable working in the police station of the respondent police lodged a complaint 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. He further submits that due to political rivalry, a false complaint was registered against the petitioner and furthermore submits that except this case and a case in Crime No.563 of 2021, there is no other cases pending against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.side) submits that except these two cases in Crime No.563 of 2021 and Crime No.564 of 2021, there is no other case pending against the petitioner. However, he vehemently opposed for granting anticipatory bail to the petitioner.

5. Considering the fact that it appears to be business dispute between the petitioner and the other taxi drivers, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on anticipatory 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 No.II, Perambalur, 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 anticipatory 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.

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-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.II,
PERAMBALUR.

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

3 THE INSPECTOR OF POLICE,
PADALUR POLICE STATION,
PERAMBALUR DISTRICT.
TAMILNADU.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S.G.MANIPRABHU Advocate on payment of necessary charges SR.NO.11881

CRL OP.19921/2021

Date :26/10/2021

INBA-12/11/2021