



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Wednesday, the Twenty Seventh day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20034 of 2021

YUVANESH @ VISHAL

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP BY  
THE INSPECTOR OF POLICE,  
H-8, THIRUVOTTIYUR POLICE STATION,  
CHENNAI.  
(CR NO.5528 OF 2020)

[ RESPONDENT ]

For Petitioner : M/S.S.RAJ Advocate

For Respondent : MR.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 offences u/s. 147, 148, 294(b), 323, 324, 336 and 506(ii) of I.P.C, in Crime No.5528 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are neighbours. Due to previous enmity the petitioner along with other accused attacked the defacto complainant using wooden log. Thereby the defacto complainant sustained injuries. Hence the complaint was registered by the Law Enforcing Agency.

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 he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that the injured treated as Out-patient. He further submits that there are no previous cases pending against the petitioner. However, he opposed grant of anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case and also considering that injured treated as Out-patient, this Court is inclined to grant anticipatory bail to the petitioner.

WEB COPY

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 *Judicial Magistrate, Thiruvottiyur* 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 his 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 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.

-sd/-

27/10/2021

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.



1 THE JUDICIAL MAGISTRATE,  
THIRUVOTTIYUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
H-8, THIRUVOTTIYUR POLICE STATION,  
CHENNAI.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S.S.RAJ Advocate on payment of necessary charges  
SR.NO.11875

CRL OP.20034/2021

Date :27/10/2021

CSK 17/11/2021