



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20206 of 2021

RAGHU

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
S-10, PALLIKARANAI POLICE STATION,
CHENNAI.
CRIME NO.836 OF 2021

[RESPONDENT]

For Petitioner : M/S.N.S.AMARNATH 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 147, 148, 294(b), 307 and 506(ii) of IPC in Cr.No.836 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was previous dispute between the accused persons and the defacto complainant's son. While the defacto complainant and his son standing in the road, the accused/A-1 along with the other accused persons abused the son of defacto complainant in filthy language and also attacked him with wooden log and knife and in the said attack the defacto complainant's son sustained grievous injuries. Thereby, 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 the defacto complainant had sustained only simple injuries. He further submits that the petitioner was wrongfully implicated in this case although he was not even named in the FIR. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) submits that injured person has been discharged from the hospital.

5. Considering the fact that the injured has been discharged from the hospital, 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 No.II, 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 shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, 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

WEB COPY

-sd/-
28/10/2021

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, ALANDUR, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
S-10, PALLIKARANAI POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.N.S.AMARNATH Advocate on payment of necessary charges SR.NO.12013

CRL OP.20206/2021

Date :28/10/2021

JPA 12/11/2021