



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Second day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.20757 of 2021

M.VASANTH

[PETITIONER / ACCUSED]

Vs

STATE BY
THE INSPECTOR OF POLICE
VENGAL POLICE STATION,
THIRUVALLUR DISTRICT.
CRIME NO. 543/2021.

[RESPONDENT]

For Petitioner : M/S.T.RAVI 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 at the hands of the respondent police for the alleged offence under Sections 294(b), 279, 353 & 506(ii) of I.P.C in Cr.No.543 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had driven a tractor on the lake in a rash manner. Due to the intervention of the De-facto Complainant who was on patrol duty, a wordy quarrel arose between the petitioner and the De-facto Complainant and at that time the petitioner vocally abused and assaulted the De-facto Complainant with dire consequences due to which the De-facto Complainant had suffered injuries which resulted in the registration of FIR.

3.The learned counsel appearing for the petitioner submitted 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.



4.The learned Government Advocate (Crl.Side) submitted that the investigation is pending in this case and that there are three previous cases against the petitioner.

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5. Considering the facts and circumstances of the case and though there are three previous cases against the petitioner, neither the previous cases against the petitioner nor in the present offence committed by the petitioner are not heinous in nature, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he 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 Judicial Magistrate-I, Thiruvallur 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) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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;



(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-

02/11/2021

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, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
VENGAL POLICE STATION,
THIRUVALLUR DISTRICT.

CC to M/S.T.RAVI Advocate on payment of necessary charges

CRL OP.20757/2021

Date :02/11/2021

RW 19/11/2021