



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Tenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice TV. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21124 of 2021

R.MANIKANDAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
T15, SRMC POLICE STATION,
72, PILLAYAR KOIL STREET,
LAKSHMI NAGAR,
PORUR, CHENNAI,
TAMILNADU 600 125.
Cr.No.900 of 2021

[RESPONDENT]

For Petitioner : M/S.S.AKASH Advocate

For Respondent : MR.N.S.SUGANTHAN, 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 323, 324, 506(1) and 294(b) of Indian Penal Code 1860 in Cr.No.900 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is professional body builder. On the date of occurrence, the petitioner, after completion of his work had returned back to his apartment and since, the keys of the petitioner's apartment did not open the door of his apartment, he called the personnel of the apartment/defacto complainant and thereafter, there arose wordy quarrel between them in which the petitioner assaulted the defacto complainant. Thereby, the defacto complainant 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 and he has been falsely implicated in this case. He further submits that the defacto complainant sustained only minor injuries in the quarrel. Hence, he prays to grant anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl. side) submits that there arose quarrel between the petitioner and the defacto complainant regarding the service given to the petitioner by the personnel of the apartment in which the petitioner attacked the defacto complainant. He further submits that the petitioner is the sole accused in this case and there is no previous case pending against the petitioner. However, he opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and there is no previous case pending against the petitioner, 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 Court No.1, Poonamalle, 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 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/-

10/11/2021

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, POONAMALLE, CHENNAI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
T15, SRMC POLICE STATION,
72, PILLAYAR KOIL STREET,
LAKSHMI NAGAR,
PORUR, CHENNAI,
TAMILNADU 600 125.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+3 CC to M/S.S.AKASH Advocate on payment of necessary charges
SR.No.12590

CRL OP.21124/2021

Date :10/11/2021

APN 15/11/2021