



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 T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21092 of 2021

1 VARADHARAJAN [PETITIONERS / ACCUSED]
2 MURUGAN
3 NAGARAJ
4 KRISHNA MOORTHY

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
MADHAVARAM POLICE STATION,
CHENNAI DISTRICT.
CR.NO.2372/2021.

For Petitioner : M/S.S.P.MEENAKSHI SUNDHARAM Advocate

For Respondent : MR.N.S.SUGANTHAN, Counsel for Govt.Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 341, 324, 506(ii) of IPC in Cr.No.2372 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners waylaid the lorry and abused the lorry driver/defacto complainant in filthy language due to which there arose wordy quarrel between them in which the petitioners assaulted the defacto complainant and in the said attack, the defacto complainant sustained injuries. Thereby, the law enforcing agency registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the defacto complainant sustained only simple injuries. Hence, he prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate submits that the injured person has been discharged from the hospital and there are no previous cases pending against the petitioners.

5. Considering that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are 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 learned **District Munsif Cum Judicial Magistrate, Madhavaram** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, 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 petitioners 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 petitioners shall report before the respondent police one in a week at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

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.



1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, MADHAVARAM, CHENNAI-60.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
MADHAVARAM POLICE STATION,
CHENNAI DISTRICT.

+1 CC to M/S.S.P.MEENAKSHI SUNDHARAM Advocate on payment of
necessary charges SR.NO.12658

CRL OP.21092/2021

Date :10/11/2021

TA-17/11/2021