



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eleventh day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21211 of 2021

1 B.V.KARTHIK
2 MANI @ MANIKANDAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SHOOLAGIRI POLICE STATION,
KRISHNAGIRI DISTRICT.
CR.NO. 732 OF 2021.

[RESPONDENT]

For Petitioner : M/S. C.MOHANRAJ Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (CrI. Side)

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), 323, 324 & 506 (ii) of IPC and Section 3 of TN Public Property (Prevention of Damage & Loss), Act, 1992 in Cr.No.732 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that petitioners herein along with other accused persons went to the hotel run by the defacto complainant and ordered food. However, they refused to pay the bill, regarding which, a wordy quarrel arose between the parties and the petitioners along with the other accused persons are alleged to have damaged the properties of the hotel and threatened the defacto complainant with dire consequences. Hence, the complaint.

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



4.Mr.N.S.Suganthan, learned Government Advocate appearing for the respondent submits that there is no previous case pending against the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on anticipatory 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 Judicial Magistrate No.I, Hosur, Krishnagiri District 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 on every Friday 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 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.

WEB COPY

-sd/-

11/11/2021

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, HOSUR, KRISHNAGIRI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
SHOOLAGIRI POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. C.MOHANRAJ Advocate on payment of necessary charges
SR.No.12752

CRL OP.21211/2021

Date :11/11/2021

APN 16/11/2021