



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twelfth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21305 of 2021

TAMIL @ TAMILSELVAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
PENNALURPET POLICE STATION,
THIRUVALLUR DISTRICT.
(CRIME NO.309 OF 2021)

[RESPONDENT]

For Petitioner : M/S.G.KARTHEEBAN Advocate

For Respondent :MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)
(CRL.OP.NO.21305/2021) Dated: 12/11/2021

MR.A.GOKULAKRISHNAN Additional Public Prosecutor
[CRL.MP.NO.12879/2021 IN CRL.OP.NO.21305/2021]
DATED: 08/12/2021

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 Sections **(*)147, 148, 294(b), 323, 324, 506(ii) & 307 of IPC** in Cr.No.309 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant, due to which, the petitioner and others abused the defacto complainant in filthy language, threatened him with dire consequences and also caused injuries to him . Hence, the complaint.



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 co-accused was already enlarged on bail by the Principal District and Sessions Court, Thiruvallur in CrI.MP.No.4544 of 2021 dated 22.10.2021. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (CrI.Side) appearing for the respondent submits that the injured person has been discharged from the hospital.

5. Considering the fact that the injured person has been discharged from the hospital and also considering the fact that the co-accused was already enlarged on anticipatory bail, 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, Uthukkottai* 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 on every Friday at 10.30 a.m., for a period of four 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 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/-
12/11/2021

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.

(*) Amended as per order this Court dated 08.12.2021 made in CRL.MP.NO.12879/2021 IN CRL.OP.NO.21305/2021.

TO

1 THE PRINCIPAL DISTRICT AND SESSIONS COURT,
THIRUVALLUR.

2 THE JUDICIAL MAGISTRATE,
UTHUKKOTTAI.

3 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

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

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to G.KARTHEEBAN Advocate on payment of necessary charges

CRL OP.21305/2021

Date :12/11/2021

CSK 19/11/2021

CSK 09/12/2021