



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.21322 of 2021

M.SANJAY

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
SANKAR NAGAR POLICE STATION,
CHENNAI.
(CR NO. 685/2021)

[RESPONDENT]

For Petitioner : M/S.G.NIRMAL KRISHNAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate

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 offences under Sections 147, 148, 269 IPC and 27(2) of Arms Act 1959 and Section 3 of Epidemic Decease Act 1897, in Crime No.685 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that one Arunkumar lodged a complaint before the respondent police on 26.10.2021 the petitioner and other accused formed themselves in a road and celebrate the birthday by using long knife. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the petitioner alleged for the offences under Sections 147, 148, 269 IPC and 27(2) of Arms Act 1959 and Section 3 of Epidemic Decease Act 1897 and vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



6. Accordingly, the petitioner is 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 Judicial Magistrate Court No.II, Tambaram, on condition that the petitioners 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 appear before the respondent police daily at 10.30 a.m for a period of eight 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 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/-

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.

TO

1 THE JUDICIAL MAGISTRATE-II,
TAMBARAM.

<https://hcservices.ecourts.gov.in/hcservices/>



2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
SANKAR NAGAR POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.G.NIRMAL KRISHNAN Advocate on payment of necessary
charges SR.NO.12704

CRL OP.21322/2021

Date :12/11/2021

CSK 17/11/2021