



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Sixteenth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21411 of 2021

G.ARUMUGAM

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP BY  
THE INSPECTOR OF POLICE,  
PORTONOVO POLICE STATION,  
BHUVANAGIRI TALUK,  
CUDDALORE DISTRICT  
CRIME NO. 340/2021

[ RESPONDENT ]

For Petitioner : M/S.E.LAKSHMIPATHY Advocate

For Respondent : MR.N.S.SUGANTHAN, Counsel for Government Advocate,  
(Cr1.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest for the alleged offence under Sections 294(b), 324, 506(ii) of IPC in Crime No.340 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are the relatives and they both hail from same village. There was wordy quarrel between them, in which, the petitioner along with other persons used filthy language and attacked the defacto complainant. Thereby, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the defacto complainant intentionally concealed his own wrongs and wantonly filed a false complaint against the petitioner. The



petitioner is the only breadwinner of his family. He has nothing to do with the alleged offence. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. side) submits that the investigation is almost completed and there is no previous case.

5. Considering the above fact that the investigation is almost completed. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on 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, Parankipettai (Portonovo), Cuddalore District, 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., until for 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 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/-

16/11/2021

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,  
PARANKIPETTAI (PORTONOVO),  
CUDDALORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE  
CUDDALORE DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
PORTONOVO POLICE STATION,  
BHUVANAGIRI TALUK, CUDDALORE DISTRICT

CC to M/S.E.LAKSHMIPATHY Advocate on payment of necessary charges

CRL OP.21411/2021

Date :16/11/2021

RW 19/11/2021