



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2021

CORAM

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.21504 of 2021

Santhosh

... Petitioner

Vs.

State Rep. By

... Respondent

The Inspector of Police,
Thirukkazhukundram Police Station,
Chengalpattu District.
Crime No.589 of 2021.

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.589 of 2021 on the file of the respondent.

For Petitioner : Mr.A.Venkatesan

For Respondent : Mr.N.S.Suganthan

Government Advocate (Cr1.Side)
[CRL.OP.NO.21504/2021]

: MR. A.GOKULAKRISHNAN, Additional
Public Prosecutor
[CRL.MP.NO.13280/2021]

ORDER

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences **(*)under Sections 147, 148, 294(b), 323, 506(ii) & 307 of I.P.C.** in Cr.No.589 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused persons have abused and assaulted the defacto complainant with knife, thereby the defacto complainant sustained grievous injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in the case.



4.The learned Government Advocate (Crl. Side) submitted that A1 and A2 have already been arrested and remanded to judicial custody. He further submitted that the injured has been discharged from the hospital.

5.Considering the fact that the injured has been discharged from the hospital and the investigation is almost completed, 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, Thirukkazhukundram, on condition that the petitioner 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 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 Saturday at 10.30 a.m. until further 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.

-sd/-

18/11/2021

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 of this court dated 14/12/2021 made in
Crl.MP.NO.13280/2021 in Crl.O.P.No. 21504/2021

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TO

1 THE JUDICIAL MAGISTRATE,
THIRUKKAZHUKUNDRAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THIRUKKAZHUKUNDRAM POLICE STATION,
CHENGALPATTU DISTRICT.

+1 CC to M/S.A.VENKATESAN Advocate on payment of necessary
charges SR.NO.14737

CRL OP.21504/2021

Date :18/11/2021

TA-24/11/2021

RW 21/12/2021