



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.21452 of 2021

AJAY

[PETITIONER / ACCUSED]

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
E-3 MINJUR POLICE STATION,
TIRUVALLUR.
CRIME NO.659 OF 2021

[RESPONDENT]

For Petitioner : M/S B.M.SANTHARAM Advocate

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

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), 324, 506(ii) of IPC in Crime No.659 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 28.10.2021, the defacto complainant and the accused persons were college students. While the defacto complainant waiting for the train at Anuppampattu Railway station the unknown accused persons are restrained him. Due to previous enmity the accused persons are scolding him in filthy language and attacked him by hand and knife. The defacto complainant sustained injuries. Hence, the complaint.



3. The learned counsel appearing for the petitioner submits that the defacto complainant gave a complaint only against the accused persons. The Petitioner did not commit any offence mentioned in the FIR. The petitioner has been falsely implicated in this case and no way connected with the alleged occurrence. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. side) submits that the injured already discharged from the hospital.. The accused made unlawful assembly with weapons and assaulted the defacto complainant with knife and the investigation is almost completed.

5. Considering the fact that investigation is almost completed and the petitioner is ready to abide the conditions as imposed by this Court. 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-II, Ponneri, 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 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.

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,
NO.II, PONNERI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
E-3 MINJUR POLICE STATION,
TIRUVALLUR.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S B.M.SANTHARAM Advocate on payment of necessary charges SR.NO.12855

CRL OP.21452/2021

Date :16/11/2021

JPA 17/11/2021