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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.11.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No. 22003 of 2021

Vijay

... Petitioner

Versus

State by :-

... Respondent

The Inspector of Police,
Kaveripattinam Police Station,
Krishnagiri District.
(Crime No.691 of 2021)

Prayer:-Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure seeking to enlarge the petitioner on bail in the event of his arrest in Crime No.691 of 2021, pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Jayachandran

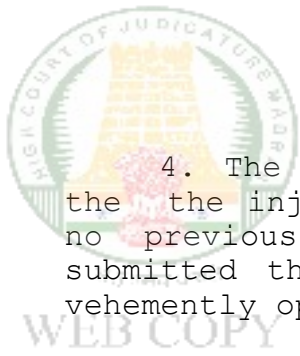
For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 324 and 506(ii) of IPC in Crime No.691 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is working as a salesman in a ready-made shop, there was a wordy quarrel between the defacto complainant and the petitioner, as a result of which, the petitioner along with other accused persons had abused the defacto complainant and attacked him with stones and iron pipe and caused injuries. 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. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. side) submitted that the injured has been discharged from the hospital and there is no previous pending cases against the petitioner. He further submitted that the investigation is almost completed. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts that injured person 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 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 I, Krishnagiri**, 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 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.

-sd/-
22/11/2021

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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.I, KRISHNAGIRI

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KAVERIPATTINAM POLICE STATION,
KRISHNAGIRI DISTRICT.

+1 CC to M/S M.JAYACHANDRAN Advocate on payment of necessary charges SR.NO.13372

CRL OP.22003/2021

Date :22/11/2021

TA-26/11/2021