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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2021

CORAM:

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

Cr1.O.P.No.21881 of 2021

S.Dayalan

... Petitioner

Vs.

State rep. By its
The Inspector of Police,
Selaiyur Police Station,
Chennai.

(Crime No.555 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 438 of Cr.P.C praying to enlarge the petitioner on bail in the even of arrest in Crime No.555 of 2021 on the file of the Inspector of Police, Selaiyur Police Station, Chennai.

For petitioner : Mr.M.Murali

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 324 and 506(ii) of IPC, in Crime No.555 of 2021, seek anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant, as a result of which, the petitioner is said to have attacked the de facto complainant and caused simple injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he is not involved in the above said offences and he has nothing to do with the above incident.



4. The learned Government Advocate submitted that there is no previous cases pending against the petitioner and the investigation is completed.

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5. Considering the facts and circumstances of the case and also the nature of dispute, this Court is inclined to grant anticipatory bail to the petitioner by imposing certain conditions.

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 on which the order copy made ready, before the learned Judicial Magistrate Court, Tambaram, on condition that each of 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate 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 every Wednesday at 10.30 a.m., 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 petitioners 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].



[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-

19/11/2021

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,
THAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
SELAIYUR POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.MURALI Advocate on payment of necessary charges
SR.NO.13094

CRL OP.21881/2021

Date :19/11/2021

RW 23/11/2021