



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM:

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

Cr1.O.P.No.22063 of 2021

1.Silambarasan
2.Kishore

... Petitioners/Accused 9-10

Vs.

State Represented by
Inspector of Police,
T7, Tank Factory Police Station,
Avadi, Chennai - 600 002.
(Crime No.246 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 438 of Cr.P.C praying to enlarge the petitioner/accused on bail in the event of his arrest in Crime No.246 of 2021 on the file of the respondent Police.

For petitioners : Mr.M.Prakash

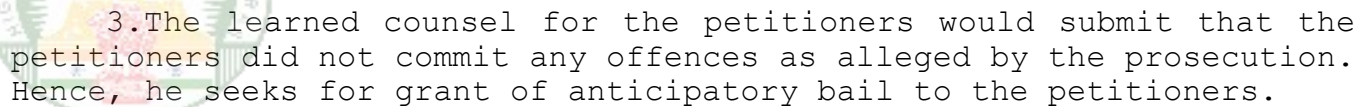
For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 452, 294(b), 324, 307 and 506(ii) of IPC, in Crime No.246 of 2021, seek anticipatory bail.

2.The case of the prosecution is that the deceased and the main accused persons in this case had previous enmity and both of them are rowdy elements. There are totally 10 accused persons in this case and the petitioners are ranked as A9 and A10, for which the defacto complainant lodged a complaint before the respondent police, resulting which, the present complaint has been filed.



5. Considering the gravity of the offence, I am not inclined to grant anticipatory bail to the petitioner/A9. Accordingly, this petition is dismissed as against the petitioner/A9.

7. Considering the above fact and circumstances of the case and the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner/A10 with certain conditions.

[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.

[c] the petitioner shall not tamper with evidence or witness 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].

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

-sd/-
24/11/2021

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,
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
T-7, TANK FACTORY POLICE STATION,
AVADI, CHENNAI - 600 002.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. M.PRAKASH Advocate on payment of necessary charges
SR.NO. 13530

CRL OP.22063/2021

Date :24/11/2021

JPA 29/11/2021