



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2021

CORAM:

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

Cr1.O.P.No.22299 of 2021

Dinesh Kumar

... Petitioner

Vs.

State Represented by
The Inspector of Police,
D-2, Chengalpattu Taluk Police Station,
Chengalpattu District.
(Crime No.763 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 event on his arrest in Crime No.763 of 2021, pending investigation on the file of the respondent police.

For petitioner : Mr.S.Madhusudanan

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

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294 (b), 341, 323 and 506(i) of IPC, in Crime No.763 of 2021, seeks anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that due to a wordy quarrel, the petitioner abusing with filthy language and assaulted the defacto complainant. Hence, this complaint.

4.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offences as



alleged by the prosecution. Hence, he prays for grant of anticipatory bail.

5. The learned Government Advocate would submit that the injured has been discharged from the hospital.

6. Taking into consideration the facts of the case and submissions made by the learned counsel for both sides and taking note of the fact that injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7. 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 No.II, Chengalpattu, on condition that the petitioners 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 said Magistrate, on further condition that:

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police every Wednesday at 10.30.a.m for a period of four weeks 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 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].



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

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-sd/-

25/11/2021

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, CHENGALPATTU

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
D-2, CHENGALPATTU TALUK POLICE STATION,
CHENGALPATTU DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.MADHUSUDANAN Advocate on payment of necessary charges SR.No.61215

CRL OP.22299/2021

Date :25/11/2021

APN 29/11/2021