



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.22335 of 2021

1.Shenbagavalli
2.Anandhan @ Anandh
3.Babu @ Suresh Babu
4.Shankar
5.Prabhu

... Petitioners

Vs.

State Represented by
The Inspector of Police,
Red hills Police Station, Chennai.
(Crime No.1965 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 their arrest or their appearance before any Court in connection with case in Crime No.1965 of 2021, pending investigation on the file of the respondent police.

For petitioners: Mr.R.Prabakar

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

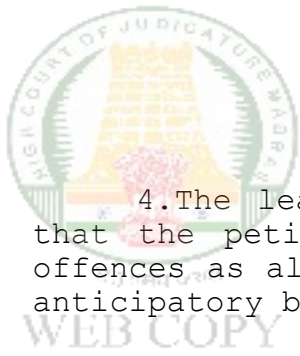
ORDER

(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 406, 420, 323, 506(2) of IPC, in Crime No.1965 of 2021, seek anticipatory bail.

2.Heard both sides.

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



4.The learned counsel for the petitioners further would submit that the petitioners are innocent and they have 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 petitioners on certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their 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, Ponneri, 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 daily 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].



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

WEB COPY

-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, PONNERI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE
REDHILLS POLICE STATION,
CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S R.PRABAKAR Advocate on payment of necessary charges
SR.NO.13487

CRL OP.22335/2021

Date :25/11/2021

JPA 29/11/2021