



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.22297 of 2021

Mussamil @ Mussamil Rahman ... Petitioner/Accused No.2

Vs.

State Represented by
The Inspector of Police,
N-3, Muthialpet Police Station,
Chennai - 600 001.
(Crime No.65 of 2020)

... 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.65 of 2020, pending investigation on the file of the respondent police.

For petitioner : Mr.C.Vinodhkumar

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 147, 148, 341, 294 (b), 323, 324 and 506(ii) of IPC, in Crime No.65 of 2020, seeks anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that this petitioner along with other accused persons are said to have threatened the defacto complainant and attempted to attack him.

4.The learned Government Advocate (Cr1.side) would submit that the defacto complainant has not sustained any injuries and only an attempt was made to threaten the defacto complainant.



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.

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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 of receipt of a copy of this order, before the learned Metropolitan Magistrate No.XVI, George Town, Chennai, on condition that the petitioners 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 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 Saturday 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.

-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 METROPOLITAN MAGISTRATE,
NO.XVI, GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
N3, MUTHIALPET POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. G.VINODHKUMAR Advocate on payment of necessary
charges SR.NO.13465

CRL OP.22297/2021

Date :25/11/2021

RW 29/11/2021