



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2021

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.22699 of 2021

G.Suresh

... Petitioner

Versus

State represented by
The Inspector of Police,
P-5 MKB Nagar Police Station,
Pulianthope, Chennai.
(Crime No.1310 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest in Crime No.1310 of 2021 pending on the file of the respondent herein.

For Petitioner : Mr.T.Sundaravadanam

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)
[CRL.O.P.NO.22699 of 2021]

MR.A.GOKULAKRISHNAN
Additional public Prosecutor
[CRL.M.P.NO.13621 of 2021]

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 341, 294 (b), 324, 506(II) of IPC in Crime No.1310 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that there is a wordy quarrel between the petitioner and the defacto complainant for which the defacto complainant had given the false complaint against the petitioner. Due to the vengeance the defacto complainant had given the false complaint with intention to resolve the boundary dispute in



the landed property. They are not involved in any of offences as alleged and it was done by the defacto complainant only in fact the defacto complainant has scolded him with unparliamentary words and attacked him. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that there is a wordy quarrel, victim discharged and investigation almost completed. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **(*)X Metropolitan Magistrate Court, Egmore, Chennai District**, on condition that 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 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 on every Sunday 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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-
30/11/2021

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.

(*) AMENDED AS PER ORDER OF THIS COURT DATED 16/12/2021 MADE IN CRL.MP.No.13621 OF 2021 IN CRL.O.P.NO.22699 OF 2021

TO

**(*) 1 THE METROPOLITAN MAGISTRATE,
NO.X, EGMORE, CHENNAI.**

2 THE METROPOLITAN MAGISTRATE,
NO.XXI, EGMORE, CHENNAI.

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

4 THE INSPECTOR OF POLICE,
P-5 MKB NAGAR POLICE STATION,
PULIANTHOPE, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. T.SUNDARAVADANAM Advocate on payment of necessary charges SR.NO.15027

CRL OP.22699/2021

Date :30/11/2021

JPA 02/12/2021

JPA 05/01/2022