



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.22914 of 2021

P.Vijaya

... Petitioner

Versus

State represented by
The Inspector of Police,
Uthiramerur Police Station,
Kancheepuram District.
(Crime No.824 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.824 of 2021 on the file of the respondent pending investigation.

For Petitioner : Mr.G.Punniakoti

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 324, 506(ii) of IPC in Crime No.824 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that according to the allegations it is alleged that the petitioner due to previous enmity aroused wordy quarrel between the petitioner and defacto complainant. The petitioner threatened the petitioner at the time exchange of filthy languages, finally it would threatened with dire consequences. 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 due to previous enmity, victim discharged and no previous case pending against the petitioner. 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 District Munsif cum Judicial Magistrate, Uthiramerur, 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 Tuesday 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.

-sd/-

01/12/2021

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
UTHIRAMERUR.

<https://hcservices.ecourts.gov.in/hcservices/>



2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
UTHIRAMERUR POLICE STATION,
KANCHEEPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. G.PUNNIAKOTI Advocate on payment of necessary
charges SR.NO.13807

CRL OP.22914/2021

Date :01/12/2021

CSK 08/12/2021