



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.23867 of 2021

Vijayakumar

... Petitioner

Versus

State by  
The Inspector of Police,  
Kaveripakkam Police Station,  
Ranipet District.  
(Crime No.279 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 arrest by the respondent police in Crime No.279 of 2021 on the file of the respondent police.

For Petitioner : Ms.S.P.Arthi

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

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O R D E R

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b), 323, 324 and 506(ii) of IPC, in Crime No.279 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 08.08.2021 the petitioner and the defacto complainant had wordy quarrel and in the result the petitioner man handled the complainant and sustained injury. Based on her complaint, case came to be registered. 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 some wordy quarrel between the petitioner and the defacto complainant. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate - I, Walajah, 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 and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to surrender before the trial Court i.e., learned Judicial Magistrate - I, Walajah and file a petition under Section 70(2) of Cr.P.C., to recall the non bailable warrant.

(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/-

10/12/2021

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 JUDICIAL MAGISTRATE,  
NO.I, WALAJAH.

2 THE CHIEF JUDICIAL MAGISTRATE  
VELLORE DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE  
KAVERIPAKKAM POLICE STATION, RANIPET  
DISTRICT .

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to S.P.ARTHI Advocate on payment of necessary charges  
SR.NO.14582

CRL OP.23867/2021

Date :10/12/2021

RW 15/12/2021