



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.24792 of 2021

Sakthivel

... Petitioner

Versus

The State represented by
The Inspector of Police,
Kaveripattinam Police Station,
Kaveripattinam, Krishnagiri District.
(Crime No.281 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 arrest in Crime No.281 of 2021 on the file of the Inspector of Police, Kaveripattinam Police Station, Kaveripattinam, Krishnagiri District.

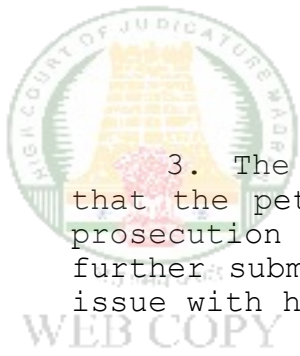
For Petitioner : Mr.D.Arun

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

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 332, 506(ii) of IPC in Crime No.281 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had lodged a complaint before the respondent police and mentioned in his complaint that he was deterred him from discharging his duty. Attacked by the petitioner and others while petitioner were asked to come to police station with regard to the complaint lodged by the petitioner's wife. Later the defacto complainant was admitted to the Hospital for the treatment and subsequently discharged from the Hospital. 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. He further submitted that the petitioner is ready to settle the family issue with his wife. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the wife of the petitioner was given complaint against the petitioner, the police call for enquiry to enquire him. 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 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate Court No.1, Krishnagiri, Krishnagiri 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 and his wife are directed to appear before the Mediation at Krishnagiri Mediation Centre for 4 or 5 sittings. The petitioner shall pay Rs.10,000/- (Rupees Ten Thousand only) to the credit of Legal Services Authority, Krishnagiri District within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below, failing which the order will be cancelled automatically;

(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/-

17/12/2021

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, KRISHNAGIRI, KRISHNAGIRI DISTRICT.

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

3 THE INSPECTOR OF POLICE,
KAVERIPATTINAM POLICE STATION,
KAVERIPATTINAM , KRISHNAGIRI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
TAMILNADU MEDIATION AND CONCILIATION CENTRE,
KRISHNAGIRI.

6 THE ASSISTANT REGISTRAR,
TAMILNADU MEDIATION AND CONCILIATION CENTRE,
HIGH COURT, MADRAS

7 THE OFFICER INCHARGE,
TAMIL NADU LEGAL SERVICES AUTHORITY ,
KRISHNAGIRI DISTRICT.

8 THE SECRETARY,
TAMIL NADU LEGAL SERVICES AUTHORITY
HIGH COURT, MADRAS.

+1 CC to M/S. D.ARUN Advocate on payment of necessary charges
SR.NO.15036

CRL OP.24792/2021

Date :17/12/2021

RW 22/12/2021