



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2022

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CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.590 of 2022

Bala @ V R K.Bala @ Balakrishnan

.. Petitioner

Vs.

The State Rep.by
The Inspector of Police,
Kodavasal Police Station,
Tiruvarur District.
Crime No.1344 of 2020

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on Anticipatory bail in the event of his arrest by the respondent police in Crime No.1344 of 2020 on the file of the respondent police.

For Petitioner : Mr.T.Muruganantham

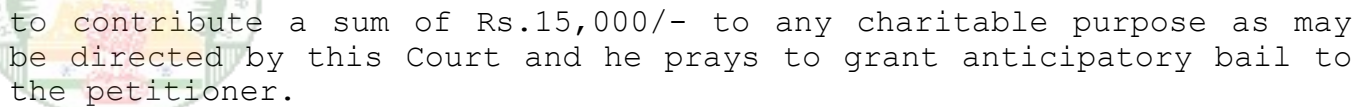
For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(i) of IPC in Crime No.1344 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Revenue Inspector. On 26.06.2020, the petitioner entered into the defacto complainant's office and prevented him from discharging his official duty. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. However, on instructions, the learned counsel would further submit that the petitioner, on his own volition, is ready and willing



4. The learned Additional Public Prosecutor would submit that the petitioner has entered into the defacto complainant's office and quarreled with him. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the submissions made by both counsel and also the fact that the petitioner has wilfully and on his own volition agreed to contribute a sum of Rs.15,000/- for charitable purpose, 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 (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judicial Magistrate, Nannilam, 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 conditions that:

(a) The petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand Only) to the Registered Advocate Clerk's Association, Tiruvarur, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and shall produce the said receipt before the Court below;

(b) 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;

(c) the petitioner shall report before the respondent police on Wednesday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for an interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;

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

-sd/-

12/01/2022

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,
NANNILAM, TIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVARUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KODAVASAL POLICE STATION,
TIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE REGISTERED
ADVOCATE CLERKS ASSOCIATION,
TIRUVARUR DISTRICT.

+1CC to M/S.T.MURUGANANTHAM Advocate on payment of necessary charges SR.No.732

CRL OP.590/2022

Date :12/01/2022

CSK 21/01/2022