



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

Crl.O.P.No.1887 of 2022

HARIKRISHNAN

... Petitioner

Vs.

The State of Tamil Nadu through the
Inspector of Police
Tiruppur North Police Station
Tiruppur -District
(Crime No.2133 of 2021)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.
praying to enlarge the petitioner on bail in the event of arrest in
Crime No.2133 of 2021 on the file of the respondent police.

For Petitioner : Mr.Deepan Uday

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

O R D E R

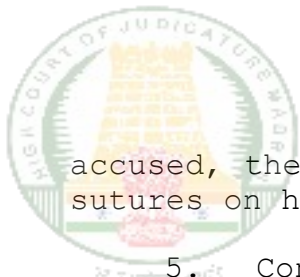
(The case has been heard through video conference)

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 324, 307, 506(2) IPC in Crime No.2133 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a petty shop. On 30.10.2021, the accused were celebrating Devar Jayanthi near the shop of the defacto complainant and they had bought Cigarettes and other thing from his shop and when the defacto complainant asked for money, all the accused used filthy language and also assaulted him. Hence, the case.

3. The learned Counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against the petitioner. He would further submit that A3 has been released on bail. Hence, he would pray for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) raised objection stating there are totally 6 accused in this case and the petitioner is arrayed and due to the attack made by the petitioner and the other



accused, the defacto complainant suffered 8 sutures on his head and 3 sutures on his left hand.

5. Considering the above facts and circumstances of the case and the fact that the co-accused has been granted bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Crime No.2133 of 2021 and on such deposit, the petitioner 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 No.I, Tiruppur, 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 and 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 defacto complainant is permitted to withdraw the deposit amount of Rs.10,000/- (Rupees Ten Thousand Only) on proper identification and acknowledgement.

[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].



[g] If the accused thereafter abscond/s, a fresh FIR can be registered under Section 229A IPC.

-sd/-

28/01/2022

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,
NO.I, TIRUPPUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
TIRUPPUR NORTH POLICE STATION,
TIRUPPUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.DEEPAN UDAY Advocate on payment of necessary charges
Sr.1302

CRL OP.1887/2022

Date :28/01/2022

RVR 01/02/2022