



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2022

CORAM:

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

Crl.O.P.No.2022 of 2022

E.Yeshwanth Rayan @ Yeshwanth

... Petitioner

Vs.

The State Represented by  
The Inspector of Police,  
P2, Otteri Police Station,  
Chennai District.  
(Crime No.1247 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest by the respondent police concerned in crime No.1247 of 2021, on the file of the respondent Police.

For Petitioner : Mr.R.Parthiban

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

ORDER

The petitioner, who apprehends arrest for the alleged offence under Sections 341, 294(b), 324 and 506(ii) of IPC altered to Section 147, 148, 341, 294(b), 323, 307 and 506(ii) of IPC, in Cr.No.1247 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant, the petitioner along with others assaulted one Manikandan with knife and caused severe cut injury on his hand. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the co-accused was arrested and released on bail and the petitioner is falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor submits that the investigation is almost completed.

5. Considering the facts and circumstances of the case and also the submissions made by both counsel and the investigation is almost completed and the co-accused has already been released, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is directed 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 X Metropolitan Magistrate Court, Egmore, Chennai, 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 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 shall report before the respondent police every Saturday at 10.30 a.m., for a period of four weeks and thereafter as and when required for an interrogation;

(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 has 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.

WEB COPY

-sd/-  
01/02/2022

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 METROPOLITAN MAGISTRATE,  
NO.X, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,  
EGMORE, CHENNAI [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,  
P-2, OTTERI POLICE STATION,  
CHENNAI

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S R.PARTHIBAN Advocate on payment of necessary charges SR.NO.1760

CRL OP.2022/2022

Date :01/02/2022

JPA 07/02/2022