



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2022

CORAM:

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

Crl.O.P.No.2501 of 2022

WEB COPY

P.Sridhar

...Petitioner

Vs.

The State of Tamil Nadu rep. by
The Inspector of Police,
K-9, Thiru-Vi-Ka Nagar police Station,
Chennai.
(Crime No.153/2022)

... 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 in Cr.No.153 of 2022 pending before the respondent police for the offence under Sections 294(b), 324, 506(II) of IPC.

For Petitioners : Mr.S.N.Subramani

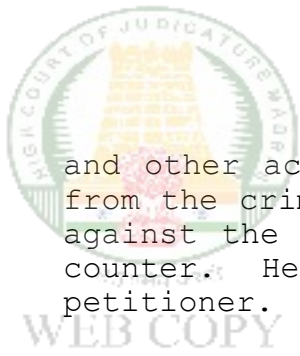
For Respondent : Mr.N.S.Suganthan,
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest for the alleged offence under Section 294(b), 354 & 506(ii) of IPC in Cr.No. 153 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, when the petitioner and other accused were engaged in construction work of Hospital in Kumaran Nagar, 3rd Street, Chennai, the de facto complainant questioned about the storage of building construction materials in road, which is causing disturbance to the vehicle traffic. Due to which, the petitioner and the other accused attacked the de facto complainant with hands and iron rod and thereby, the defacto complainant sustained injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the de facto complainant and some political parties demanded bribe due to the storage of construction materials in road. The petitioner refused to accept their illegal demand, where the de facto complainant and political parties suddenly attacked the petitioner



and other accused and also damaged construction materials. To escape from the criminal case, de facto complainant lodged a false complaint against the petitioner. He further submits that there was a case in counter. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl side) on instructions submits that the injured has sustained injuries on his head and three stitches were done and taken treatment as out patient. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the submissions made by both counsel and also considering the fact that the injured has taken treatment as out patient and there was a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are directed to be released on bail in the event of arrest or on their 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 V Metropolitan Magistrate, Egmore, Chennai, on condition that the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 on every Saturday at 10 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 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/-

03/02/2022

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 V METROPOLITAN MAGISTRATE
EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 INSPECTOR OF POLICE,
K-9, THIRU-VI-KA NAGAR POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.S.N.SUBRAMANI Advocate on payment of necessary
charges Sr.1790

CRL OP.2501/2022

Date :03/02/2022

RVR 11/02/2022