



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Seventh day of February Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN
CRIMINAL ORIGINAL PETITION No.2734 of 2022

1 SURYAPRAKASH @ KULLU
2 SEENU

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE,
SEVVAPET POLICE STATION,
TIRUVALLUR DISTRICT.
CR.NO. 29 OF 2022.

[RESPONDENT]

For Petitioner : M/S. R.SASIKUMAR Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (CrI. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

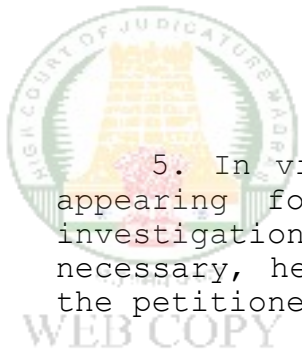
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under sections of 294(b), 324 and 506(ii) of IPC, in Crime No.29 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 29.01.2022, due to previous enmity petitioners and other accused in this case had abused the defacto complainant and assaulted with hands. Hence the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent person and they have not committed any such offences as alleged by the prosecution. He further submitted that they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police raised objection stating that if the petitioners are released on bail they may try to tamper the witnesses and hamper investigation. However, he admits that as of now investigation is completed.



5. In view of the above submissions made by the learned Counsel appearing for either side and also considering the fact that investigation is almost completed, custodial interrogation is not necessary, hence this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate No.II, Thriuvallur on condition that the petitioners 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 condition that:

(a) the petitioners and the sureties shall affix his 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 petitioners shall report before the respondent police daily at 10.00 a.m., until further orders.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners 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/-

07/02/2022

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 JUDICIAL MAGISTRATE NO.II,
THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
THIRUVALLUR DISTRICT (FOR INFORMATION).

3 THE SUB INSPECTOR OF POLICE,
SEVVAPET POLICE STATION,
TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S. R.SASIKUMAR Advocate on payment of necessary
charges SR.NO.2069

CRL OP.2734/2022

Date :07/02/2022

INBA~15/02/2022