



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.3703 of 2022

R.VIJAYARAJA

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
K1.NEYVELI TOWNSHIP POLICE STATION,
CUDDALORE DISTRICT.
(CRIME NO.1266/2021)

[RESPONDENT]

For Petitioner : M/S.A.ARASU GANESHAN Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as Accused No.2 seeks anticipatory bail for the alleged offences punishable under Section 294(b), 323, 324, 354, 506(2) and 307 for the occurrence took place on 10.12.2021.

2. From the First Information Report, this Court finds that the petitioner herein has attacked the defacto complainant with iron ninja on his head and the other accused attacked him on the other parts of his body.

3. The learned counsel appearing for the petitioner submits that it is a case in counter. The petitioner herein was also sustained several injuries at the hands of the defacto complainant and the others, who were with him and for the said injuries, the petitioner was admitted in the hospital as inpatient and taken treatment for three days. However, the respondent police has not



registered the counter complaint. The petitioner has also enclosed a copy of the discharge summary issued by the Government Head Quarters Hospital, Cuddalore.

4. Learned Government Advocate (Crl. side) states that the defacto complainant has already been discharged from the hospital after taking treatment for more than a month.

5. In view of the above fact that since the defacto complainant is discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Neyveli, failing which the anticipatory bail shall stand canceled 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 stay at Villupuram and report before the Villupuram Town Police Station within seven days from the receipt of a copy of this order and continue to report daily at 10.30 a.m for a period of thirty days and thereafter, as and when required for interrogation and not to be present within the jurisdiction of the respondent police until and unless he has called for enquiry;

(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.

WEB COPY

-sd/-

01/03/2022

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,
NEYVELI.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
K1.NEYVELI TOWNSHIP POLICE STATION,
CUDDALORE DISTRICT.

4 THE OFFICER INCHARGE,
VILLUPURAM TOWN POLICE STATION,
VILLUPURAM DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.A.ARASU GANESHAN Advocate on payment of necessary charges SR.NO. 3129

CRL OP.3703/2022

Date :01/03/2022

RW 03/03/2022