



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Eighth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4704 of 2022

SELVARAJ

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
MAYILADUTHURAI POLICE STATION,
MAYILADUTHURAI.
CRIME NO.64 OF 2022

[RESPONDENT]

For Petitioner : M/S.T. PADMANABHAN 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, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b) and 506(i) of IPC in Crime No.64 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The FIR has been registered against this petitioner based on the complaint given by one Varatharajan/the office bearer of the Govind Apartment alleged that the petitioner herein is one of the flat owners and resident abused him with filthy language and threatened with dire consequences.

3. The learned Government Advocate (Crl.side) submitted that preliminary investigation has been initiated. There is a misunderstanding between the office bearers of the flat owners and the petitioner herein regarding the usage of common space, which led to exchange of words.



4. Considering the nature of the complaint, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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 Judicial Magistrate No.I, Mayiladuthurai 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 Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioner shall report before the Investigation Officer daily at 10.30 a.m., for a period of 30 days and thereafter, as and when required for interrogation;

(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]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

28/02/2022

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.



1 THE JUDICIAL MAGISTRATE,
NO.I, MAYILADUTHURAI.

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

3 THE INSPECTOR OF POLICE,
MAYILADUTHURAI POLICE STATION,
MAYILADUTHURAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.T. PADMANABHAN Advocate on payment of necessary
charges SR.NO. 3192

CRL OP.4704/2022

Date :28/02/2022

RW 07/03/2022