



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Second day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4889 of 2022

1 M.K.LENIN

[PETITIONERS / ACCUSED]

2 G.KARTHIGEYAN

3 S.R.RAVI

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
KOLATHUR POLICE STATION,
CHENNAI.

(CRIME NO.99 OF 2022)

For Petitioner : M/S.S.SHANKAR Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 294 (b), 324 & 506(ii) of IPC in Crime No.99 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 15.02.2022, the defacto complainant belongs to DMK party who campaigning for his party for local body election, at that time, petitioners who belongs to ADMK party along with accused persons abused and attacked the defacto complainant with stick and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence he prays for anticipatory bail and he is ready to abide any conditions.



4. The learned Government Advocate (Crl.Side) has submitted that the victim sustained simple injury. However, he opposed to grant anticipatory bail to the petitioners.

5. The case has been registered during the election campaign when there was a dispute between the party members of the two rival groups. Since, the victim discharged from the hospital, this Court inclined to grant anticipatory bail to the petitioners with following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned V Metropolitan Magistrate Court, Egmore, on condition that the petitioners 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 conditions that:

(a) if the petitioners 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 petitioners 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 petitioners shall report before the Investigation Officer daily at 04.30 p.m for a period of thirty days

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

(e) the petitioners 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 petitioners 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



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

WEB COPY

-sd/-

02/03/2022

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 V METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

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

3 THE INSPECTOR OF POLICE,
KOLATHUR POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.A.T.NAGENDRAN Advocate on payment of necessary charges SR.No.3668/DATED:10/03/2022

CRL OP.4889/2022

Date :02/03/2022

CSK 08/03/2022