



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

Monday, the Seventh day of March Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.5249 of 2022

DAVID @ DAVIDSON MARK

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
T6, AVADI POLICE STATION,
CHENNAI DISTRICT.
CR.NO.143 OF 2022.

[RESPONDENT]

For Petitioner : M/S. S.SASIKUMAR Advocate

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

PETITION FOR ANTICIPATORY BAIL 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 alleged offences punishable under Sections 294(b) and 506(1) of IPC in Crime No.143 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner in a drunken state of mind had picked quarrel with the defacto complainant in front of his provision store and he refused to pay price for the water bottle and abused the defacto complainant with filthy language and also threatened him with dire consequences.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he is nothing to do with the alleged offence.

4.Taking note of the conduct of the petitioner and the nature of the crime, this Court is inclined to grant anticipatory bail to the petitioner.



5. Accordingly, the petitioner is ordered to be released on anticipatory 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 No.II, Poonamallee, 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 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 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 Manavala Nagar Police Station, Thiruvallur, daily at 10.30 a.m. until further orders.

(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/-

07/03/2022

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.



1 THE JUDICIAL MAGISTRATE,
NO. II, POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
T6, AVADI POLICE STATION,
CHENNAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
MANAVALA NAGAR POLICE STATION,
THIRUVALLUR

CC to M/S. S.SASIKUMAR Advocate on payment of necessary charges
Sr.3456

CRL OP.5249/2022

Date :07/03/2022

RVR 10/03/2022