



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Ninth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5338 of 2022

1 A.S.AKBAR [PETITIONERS / ACCUSED]
2 N.S.IMTHIYAZ AHMED
3 H.M.SANNU @ KALEEL

Vs

THE INSPECTOR OF POLICE [RESPONDENT]
AMBUR TOWN POLICE STATION,
THIRUPATHUR DISTRICT-635802.
(CRIME NO.951/2021)

For Petitioner : M/S.T.DHASARATHAN 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 apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 506(1) of IPC in Crime No.951 of 2021 seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner/A-1 allegedly entered into the house of the defacto complainant and attacked him., due to which the defacto complainant sustained simple injuries.

3. Considering the facts and circumstances of the case and also taking note of the fact that the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.



4. Accordingly, the petitioners are 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-Ambur, Thirupathur District on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- each (Rupees Twenty Five Thousand Only), each 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioners shall report before the Investigating Officer as and when required and shall co-operate for investigation.

(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 petitioners in accordance with law as if the conditions has 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/-

09/03/2022

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,
AMBUR, THIRUPATHUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 INSPECTOR OF POLICE
AMBUR TOWN POLICE STATION,
THIRUPATHUR DISTRICT. 635802.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.T.DHASARATHAN Advocate on payment of necessary
charges SR.No.3629

CRL OP.5338/2022

Date :09/03/2022

CSK 15/03/2022