



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5909 of 2022

1 LENIN [PETITIONERS / ACCUSED]
2 S.PALANI
3 BHASKAR @ KULLA BHASKAR
4 G.KARTHIKEYAN

Vs

THE STATE OF TAMIL NADU [RESPONDENT]
REP BY ITS, INSPECTOR OF POLICE,
PERAVALLUR POLICE STATION,
CHENNAI.
CRIME NO.145 OF 2022.

For Petitioners : 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 apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 294(b) and 506(i) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.145 of 2022, on the file of the respondent police, seek anticipatory bail.

2. During the local body election, a quarrel has erupted between the defacto complainant and the petitioners herein which has led to registration of the complaint in Crime No.145 of 2022.



3. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the petitioners have bad antecedents and on the eve of election, when there was canvas by the defacto complainant, these petitioners wrongfully restrained him and others who were with him and misbehaved with the girls by pulling their bags and threatened them with dire consequences, if they did not leave the place.

4. Considering the averments made in the complaint and the submissions made by the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for respondent Police, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 Metropolitan Magistrate V, Egmore, Chennai, on condition that each of the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees fifty thousand Only), with two sureties, each for a like sum to the satisfaction of the learned Magistrate, failing which the anticipatory bail shall stand canceled and on further condition that:

(a) 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;

(b) the petitioners shall appear before the Investigating Officer as and when required;

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

(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 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;



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

WEB COPY

-sd/-
15/03/2022

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 METROPOLITAN MAGISTRATE,
NO.V, EGMORE, CHENNAI.

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

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. S.SHANKAR Advocate on payment of necessary charges
SR.NO.3947

CRL OP.5909/2022

Date :15/03/2022

JPA 18/03/2022