



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Tenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5592 of 2022

1 S.SENTHIL MURUGAN
2 VIJAYAKUMAR
3 GOWTHAMAN
4 SRINIVASAN @ ABI

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
THIRUKALUKUNDRAM POLICE STATION,
CHENGALPATTU DISTRICT.
(CRIME NO.149 OF 2022)

[RESPONDENT]

For Petitioners : M/S.A.SARANRAJ Advocate

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

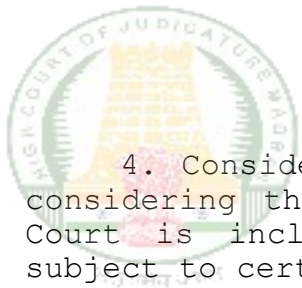
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under Sections 294(b), 323 and 506(ii) of IPC in Crime No.149 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 27.02.2022, due to wordy altercation between the defacto complainant and the petitioners, they attacked each other. Hence, both the parties sustained simple injuries.

3. The learned Government Advocate (Crl. Side) appearing for the respondent admits that counter complaint has been given by the petitioners against the defacto complainant. He further submits that the injured persons has been discharged from the hospital.



4. Considering the facts and circumstances of the case and also considering that injured persons discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners subject to certain conditions.

5. 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 District Munsif Cum Judicial Magistrate Court, Thirukalukundram, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/-only (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 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/-

10/03/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THIRUKALUKUNDRAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOF INFORMATION]

3 THE INSPECTOR OF POLICE,
THIRUKALUKUNDRAM POLICE STATION,
CHENGALPATTU DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.A.SARANRAJ Advocate on payment of necessary charges
SR.NO.3845

CRL OP.5592/2022

Date :10/03/2022

JPA 16/03/2022