



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5754 of 2022

1 A.CHITRA [PETITIONERS / ACCUSED]
2 S.VIGNESHWARAN
3 A.MOHAN
4 A.HARI

Vs

STATE REPRESENTED BY [RESPONDENT]
INSPETOR OF POLICE
R8 VADAPALANI POLICE STATION,
VADAPALANI,
CHENNAI - 600 026
CRIME NO.50 OF 2022

For Petitioners : V.T.NARENDIRAN 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 offence punishable under Sections 270, 294-B, 506(i) of IPC and Section 3 of Epidemic Diseases Act 1897 in Crime No.50 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The petitioners who are apprehending arrest on a private complaint are before this Court seeking anticipatory bail.

3. The learned counsel for the petitioners has 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 to grant anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) has opposed to grant anticipatory bail to the petitioners by stating that there was a wordy quarrel between the parties regarding the falling of coconut leaves and coconut into the house of the defacto complainant which emits foul smell in the defacto complainant's house.

4. An FIR indicates that the petitioners and the defacto complainant are neighbours, falling of coconut leaves and coconut has caused some stinky to the defacto complainant's house leading to wordy quarrel.

5. Considering the facts and circumstances of the case and also considering the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioners on certain 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 XVII Metropolitan Magistrate, Saidapet, Chennai, on condition that the petitioners shall execute separate bonds for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each, 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 as and when required for an interrogation ;

(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/-
14/03/2022

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.XVII, SAIDAPET, CHENNAI.

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

3 THE INSPETOR OF POLICE
R8 VADAPALANI POLICE STATION,
VADAPALANI,
CHENNAI - 600 026

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to V.T.NARENDIRAN Advocate on payment of necessary charges
SR.NO.3854

CRL OP.5754/2022

Date :14/03/2022

JPA 18/03/2022