



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.5889 of 2022

S.AJAYKUMAR @ AJAY

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE
S-1 ST. THOMAS MOUNT POLICE STATION,
CHENNAI - 16
IN CRIME NO. 31/2022

[RESPONDENT]

For Petitioner : M/S.V.JAISANKAR Advocate

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

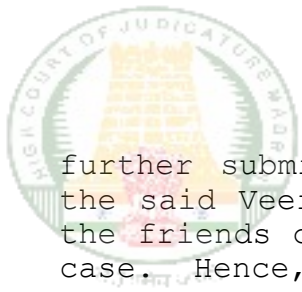
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 427 and 506(2) of IPC in Crime No.31 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant kept his vehicle outside his house. At about 4.30 p.m., he heard some noise and he came out of his house and found that the petitioner along with others have damaged his vehicle and also other vehicles parked in that place. When the Public gathered there, they intimidated the public with knife point and ran away. Hence, the complaint.

3. The learned counsel for the petitioner has submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He



further submitted that the matter is purely a love dispute between the said Veeramani and Hemachandru, but as this petitioner is one of the friends of the said Veeramani, he was unnecessarily roped in the case. Hence, he prays to grant anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl.side) has submitted that the petitioner along with others have damaged the defacto complainant's vehicle and they intimidated the Public with knife point and ran away. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the rival submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioner on condition that he shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Crime No.31 of 2022 before the learned Judicial Magistrate-I, Alandur, Chennai-16.

6. Accordingly, the petitioner is 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-I, Alandur, Chennai-16 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 learned Magistrate concerned and on further conditions that:

(a) if the petitioner 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 petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.31 of 2022 before the learned Judicial Magistrate-I, Alandur, Chennai-16 ;

(c) 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;

(d) the petitioner shall report before the Investigation Officer daily at 10.30 a.m., until further orders ;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioner shall not abscond either during investigation or trial;



(g) 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 is 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

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

-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 JUDICIAL MAGISTRATE,
NO.I, ALANDUR, CHENNAI-16.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
S-1 ST. THOMAS MOUNT POLICE STATION,
CHENNAI - 16.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.V.JAISANKAR Advocate on payment of necessary charges SR.NO. 3918

CRL OP.5889/2022

Date :14/03/2022

RW 18/03/2022