



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.5908 of 2022

BALU @ BALACHANDRAN

[PETITIONER / ACCUSED]

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
TIRUPPUR NORTH POLICE STATION.
(CRIME NO.227 OF 2022)

[RESPONDENT]

For Petitioner : M/S.J.FRANKLIN Advocate

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

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

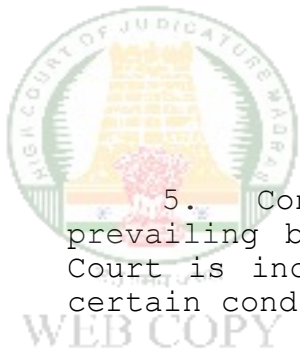
ORDER : The Court Made the following order :-

The petitioner who apprehends arrest at the hands of the respondent Police for the alleged offences under Sections 294(b), 324 and 506(ii) of IPC r/w Section 3(1) of TNPPDL Act, in Crime No.227 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The First Information Report registered by the respondent Police indicates that due to previous enmity and money dispute, this petitioner has wrongfully restrained the defacto complainant and attacked him with iron rod and also caused damage to the Skoda car.

3. Heard, the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent Police.

4. Though the petitioner claims that he is an innocent and no occurrence took place, the medical records and also the damage caused to the car provides candid evidence against this petitioner.



5. Considering the nature of the crime and the enmity prevailing between the petitioner and the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Judicial Magistrate No.I, Tiruppur, on condition that the petitioner 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 petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.227 of 2022 on the file of the respondent police and submit proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the receipt/acknowledgment shall accept the sureties furnished by the petitioner. The final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

(b) 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;

(c) the petitioner shall stay at Arakkonam District and report before the Inspector of Police, Arakkonam Town Police Station daily at 10.30 a.m., until further orders.

(d) If the petitioner fails to deposit the money and furnish surety as stated above, the anticipatory bail granted by this Court shall revoke automatically without any reference to this Court.

(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 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;



(h) if the accused thereafter absconds, 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 JUDICIAL MAGISTRATE,
NO.I, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
TIRUPPUR NORTH POLICE STATION,
TIRUPPUR.

4 THE INSPECTOR OF POLICE,
ARAKKONAM TOWN POLICE STATION,
ARAKKONAM DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.J.FRANKLIN Advocate on payment of necessary charges
SR.NO. 3939

CRL OP.5908/2022

Date :15/03/2022

RW 22/03/2022