



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Wednesday, the Sixteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.6044 of 2022

G.PANDIYAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ARIYALUR POLICE STATION,
ARIYALUR DISTRICT.
(CRIME NO.100 OF 2022)

[RESPONDENT]

For Petitioner : M/S.A.MOHAMED ISMAIL 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 petitioner, who apprehends arrest for the alleged offences under Sections 294(b), 341, 323, 355 & 506(1) of IPC in Crime No.100 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The allegation in the F.I.R. against the petitioner herein is that, he attacked the de facto complainant with hands suspecting that the de facto complainant was the cause for registering a complaint by the police against the petitioner herein. The alleged occurrence had taken place on 02.03.2022, whereas, the complaint was given only on 09.03.2022. There is no plausible reason for the delay in filing the complaint prevailing enmity between the de facto complainant and the petitioner herein. The veracity of the complaint itself is to be probed and for that purpose, custodial interrogation of the petitioner is not required.

3. In view of the above, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.

4. 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, Ariyalur, 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 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 petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the Investigating Officer daily at 10.30 a.m. until further orders;

(d) the petitioner 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 petitioner in accordance with law as if the conditions has been imposed and the petitioner 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/-

16/03/2022

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, ARIYALUR



2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
ARIYALUR POLICE STATION,
ARIYALUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.A.MOHAMED ISMAIL Advocate on payment of necessary
charges Sr.4171

CRL OP.6044/2022

Date :16/03/2022

RVR 21/03/2022