



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fourth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6324 of 2022

1 PRABHAHARAN
2 KESAVAN
3 SANTHOSH

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
G-10, POLICE STATION,
ANAICUT,
CHENGALPATTU
CRIME NO.39 OF 2022

[RESPONDENT]

For Petitioners : M/S.J.VINOTH 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 alleged offences punishable under Sections 294(b), 323, 506(i) of IPC r/w. Section 4 TNPHW Act, in Crime No.39 of 2022, on the file of the respondent police, seek anticipatory bail.

2. During the village festival, these petitioners from the neighbouring village has gone to the defacto complainant's village and caused nuisance by driving the two-wheeler rashly. Hence physical altercation has taken place, a case and case in counter has been registered by the respondent police and the injured persons were discharged from hospital.

3. Taking note of these facts, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



4. 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 Judicial Magistrate, Cheyyur on condition that each of the petitioners shall execute a separate 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) 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 Inspector of Police, Sivakanchipuram Police Station daily at 10.30 a.m., until further orders;

(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.

-sd/-

04/04/2022

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,
CHEYYUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
G-10, POLICE STATION,
ANAICUT, CHENGALPATTU

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
SIVAKANCHIPURAM POLICE STATION,
SIVAKANCHIPURAM

+1 CC to M/S.J.VINOTH Advocate on payment of necessary charges
SR.NO.5072

CRL OP.6324/2022

Date :04/04/2022

JPA 07/04/2022