



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.7896 of 2022

1 HARIDOSS

[PETITIONERS / ACCUSED]

2 GOMATHI

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
GUMMIDIPOONDI POLICE STATION,
TIRUVALLUR DISTRICT.
(CR.NO. NOT KNOWN OF 2022)

For Petitioner : M/S. C.ARIVAZHAGAN Advocate

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

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

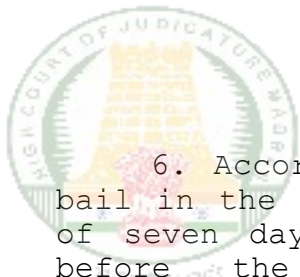
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for an offence punishable under Sections 294 (b), 506(ii) of IPC, in Crime No not known of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the petitioners are neighbours. There was a dispute between both the parties regarding pathway. Due to which, the petitioners assaulted the defacto complainant and also caused injuries to him.

3. The learned Government Advocate (Crl.side) states that since dispute regarding common pathway, RDO enquiry has been pending against the petitioner and the case was registered in crime No.58 of 2022 by the respondent police.

4. Considering the facts and circumstances of the case and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioners with 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 District Munsif-cum-Judicial Magistrate, Gummidipoondi, on condition that the petitioners shall execute separate bonds 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 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 Investigating 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 are 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/-

05/04/2022

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
GUMMIDIPOONDI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
GUMMIDIPOONDI POLICE STATION,
TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. C.ARIVAZHAGAN Advocate on payment of necessary
charges SR.No.5131

CRL OP.7896/2022

Date :05/04/2022

CSK 11/04/2022