



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.7904 of 2022

VIGNESH

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
VAIMEDU POLICE STATION,
NAGAPATTINAM DISTRICT.
(CRIME NO.42/2022)

[RESPONDENT]

For Petitioner : M/S S.SEKAR 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 offence under Sections 341 IPC and Section 3(1) TN PPDL Act, in Crime No.42 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side).

3. According to the prosecution, on 22.02.2022, at about 19.40 hrs., the petitioner thrown a wooden log on the window screen of the transport bus and caused damages. The investigation reveals that the petitioner along with two others were thrown a wooden log and stones, causing damages to the bus and the alleged occurrence was due to the drunken state of mind. The petitioner herein is the 2nd accused, he seeks anticipatory bail on the ground that he is innocent and falsely implicated and his name does not found in the FIR.



4. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with a condition that he should deposit a sum of Rs.25,000/- (Twenty Five Thousand Only) in this Criminal Original Petition (Crime No. 42 of 2022) without prejudice to his right and contention.

5. 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, The District Munsif cum Judicial Magistrate, Vedharaniyam, on condition that the petitioner shall execute 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 shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the credit of Crime Number 42 of 2022 before the Judicial Magistrate, The District Munsif cum Judicial Magistrate, Vedharaniyam, On such deposit being made, the learned Magistrate, shall obtain an affidavit of undertaking that the sum of Rs.25,000/- was deposited by the petitioner to the credit of Crime Number 42 of 2022.

(b) 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;

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

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

(e) the petitioner 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 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;



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

WEB COPY

-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 JUDICIAL MAGISTRATE,
THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VEDHARANIYAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VAIMEDU POLICE STATION,
NAGAPATTINAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S S.SEKAR Advocate on payment of necessary charges
SR.No.5324

CRL OP.7904/2022

Date :05/04/2022

CSK 12/04/2022