



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8142 of 2022

NEELAKANDAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR POLICE,
T-6, AVADI POLICE STATION,
CHENNAI-600 054.
CRIME NO.NOT KNOWN OF 2022.

[RESPONDENT]

For Petitioner : M/S. E.PARTHIBAN 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 apprehend arrest for the alleged offence **under Sections 294(b) and 506(ii) of IPC** in Crime No.Not known of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein in a drunken mood went to the house of the defacto complainant, broken the doors and threatened the defacto complainant with knife. Hence the complaint.

3. The learned counsel for the petitioner submits that no injury has been caused to the defacto complainant and it was only due to wordy quarrel, the complaint has been lodged against the petitioner for the offence under Sections 294(b) and 506(ii) of IPC.

4. Considering the nature of the allegation made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner on condition to deposit a sum of Rs.5,000/- subject to the outcome of the trial.



5. Accordingly, the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) within a period of seven days from the date on which the order copy made ready, and on such deposit 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 No.II, Poonamallee**, 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) if the petitioner 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 petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) within a period of seven days from the date on which the order copy made ready;

(c) 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;

(d) **the petitioner shall report before the respondent police as and when required for an interrogation;**

(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 petitioner in accordance with law as if the conditions have 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;



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

-sd/-

08/04/2022

WEB COPY

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.II, POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
T-6, AVADI POLICE STATION,
CHENNAI-600 054

+1 CC to M/S. E.PARTHIBAN Advocate on payment of necessary charges SR.NO.5448

CRL OP.8142/2022

Date :08/04/2022

TA-20/04/2022