



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8176 of 2022

AKASH.P

[PETITIONER / ACCUSED]

Vs

1 THE STATE OF TAMIL NADU REP BY, [1st RESPONDENT]
THE INSPECTOR OF POLICE,
CHINTADARIPET POLICE STATION,
TRIPLICANE, CHENNAI.
(CRIME NO. 82/2022)

2 PRAVEEN KUMAR [2nd RESPONDENT/DEFACTO COMPLAINANT]

For Petitioner : M/S. S.YOGALAKSHMI Advocate

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

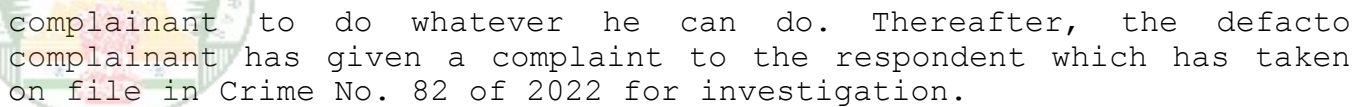
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 288, 337, 427 and 506(1) of Indian Penal Code in Crime No.82 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. On reading the FIR indicates that, when the defacto complainant and his wife went for shopping in Ritchie street from the top floor of the building named Nandi Trade Centre, two heavy iron rod fall on the wife of the defacto complainant. She escaped from major injury but her mobile phone, laptop and bike got damaged. When the defacto complainant called the owner and reported about the negligence and the damages caused to the property, the petitioner herein has answered over the phone indifferently and told the defacto



4. The learned Counsel for the petitioner would submit that the petitioner is not the owner of the building and only his father owns the building and further submits that no physical injury is made out.

5. However, this Court finds the recklessness and the negligence of the owner of the building has caused alleged damage and as the owner of the building, the petitioner and his father is liable for the damages and recklessness. This Court while granting anticipatory bail to the petitioner, the petitioner is directed to appear before the Investigating Officer daily and co-operate for the investigation and furnish the details of the owner of the building, so that the respondent police can proceed against the owner of the building and proceed against the petitioner for using abusive language, if the allegations found to be true.

6. 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 **(*)XIV Metropolitan Magistrate Court, Egmore, Chennai** on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 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;

(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.

WEB COPY

-sd/-
07/04/2022

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.

(*)Corrected order (Letter Case) to be substituted for the order already despatched on 18/04/2022.

TO

**(*)1 THE XIV METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.**

2 THE XVI METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

3 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
CHINTADARIPET POLICE STATION,
TRIPLICANE, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. S.YOGALAKSHMI Advocate on payment of necessary charges SR.No.5359

CRL OP.8176/2022

Date :07/04/2022

CSK 12/04/2022

CSK 29/04/2022