



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Nineteenth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8890 of 2022

SAMPATH

[PETITIONER / ACCUSED]

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE
MARAKKANAM POLICE STATION,
VILLUPURAM DISTRICT.
(CRIME NO.73/2022)

[RESPONDENT]

For Petitioner : M/S. K.BALASUBRAMANIAM Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 324, 506(ii) and 307 of IPC in crime No.73 of 2022, on the file of the respondent police , seeks anticipatory bail.

2. The petitioner herein apprehending arrest by the respondent police for the offence under Sections 294(b), 324, 506(ii) and 307 of IPC seeking anticipatory bail.

3. The learned Government Advocate (CrI. Side) submits that the injured person discharged from the hospital.

4.Considering the nature of the offence and the place of an occurrence and also the accident register which says that the injured under the influence of alcohol which co-relates the defence taken by the petitioner that the defacto complainant under the influence of alcohol had picked quarrel with the petitioner herein, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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 No.II, Tindivanam, 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 learned Magistrate concerned and on further conditions 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 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 petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

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

(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 have been imposed and the petitioner is 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/-
19/04/2022

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,
NO.II, TINDIVANAM

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM DISTRICT [FOR INFORMATION]

3 INSPECTOR OF POLICE
MARAKKANAM POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. K.BALASUBRAMANIAM Advocate on payment of necessary
charges SR.No.5832

CRL OP.8890/2022

Date :19/04/2022

CSK 22/04/2022