



WEB COPY



CrI.OP.No.7362 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2022

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.OP.No.7362 of 2020

R.Jeeva

..Petitioner

Vs.

State represented by:
The Inspector of Police,
Komarapalayam Police Station,
Namakkal District.
Crime No.117/2020

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to grant an anticipatory bail to the petitioner in the event of his arrest or on his appearance before any court in connection with the case in Crime No.117 of 2020 pending investigation on the file of the respondent herein.

For Petitioner : Mr.R.Marudhachalamurthy
For Respondent : Mr.A.Gopinath,
Government Advocate (CrI.side)

ORDER

Though the prayer reads as if the petitioner seeks “Anticipatory



Crl.OP.No.7362 of 2020

Bail” it is not in dispute that the petitioner was in Judicial Custody.

Hence the petition is treated as a Regular Bail petition as it is filed under Section 439 of Cr.P.C. The petitioner seeks bail in respect of Crime No. 117 of 2020 registered against him for the offences under Sections 147, 148, 323 & 307 of the Indian Penal Code.

2. The petitioner has been arrayed as Accused No.5. A reading of the FIR shows that there is no specific overt act attributed to the petitioner.

3. In view of the above submission, the interim bail granted to the petitioner in Crl.OP.No.7362 of 2020 dated 29.04.2020 is made absolute on the following conditions;

[a] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness



CrI.OP.No.7362 of 2020

either during investigation or trial.

[d] 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]**.

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

22.08.2022

mpl



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CrI.OP.No.7362 of 2020

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Inspector of Police,
Komarapalayam Police Station,
Namakkal District.
- 2.The Public Prosecutor,
High Court of Madras

CrI.O.P.No.7362 of 2020

22.08.2022