



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Eighteenth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8683 of 2022

T.MARISELVAM

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP BY  
THE INSPECTOR OF POLICE,  
J-3 GUINDY POLICE STATION,  
CHENNAI-600 032.  
(CRIME NO.218/2022)

[ RESPONDENT ]

For Petitioner : M/S K.ARUNAGIRI 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 at the hands of the respondent police for the alleged offence punishable under Sections **294(b), 323, 324 & 506(ii) of IPC**, in Crime No.218 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. According to the prosecution, the clash between two groups in the TASMAR bar has led to free fall of fight with beer bottles and knife. A case and case in counter has been registered. This petitioner, who is the 3<sup>rd</sup> accused in Crime No.218 of 2022, alleged to have attacked the *de facto* complainant Karthik with knife and caused cut injury.

3. The learned Government Advocate (crl.side) submits that the petitioner has one previous case due to fight between the petitioners group and Ranjithkumar's group. The fight between them occurred on 04.04.2022 as a sequence of the earlier fight at 3.30 p.m.



4. Taking note of the fact that the petitioner and the *de facto* complainant have had antecedent running bad blood among themselves, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 Metropolitan Magistrate Court No.IX, Saidapet, Chennai** 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 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 Inspector of Police, Kasimedu Police Station, Chennai 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 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/-

18/04/2022

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 METROPOLITAN MAGISTRATE,  
NO.IX, SAIDAPET, CHENNAI.

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

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
J-3 GUINDY POLICE STATION,  
CHENNAI-600 032.

5 THE INSPECTOR OF POLICE  
KASIMEDU POLICE STATION,  
CHENNAI.

+2 CC to M/S K.ARUNAGIRI Advocate on payment of necessary charges SR.NO.5774

CRL OP.8683/2022

Date :18/04/2022

TA-22/04/2022