



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.8825 of 2022

SATHYASUNDARAM

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
HARIDHUVARMANGALAM POLICE STATION,
TIRUVARUR DISTRICT.
CR.NO.100 OF 2022.

[RESPONDENT]

For Petitioner : M/S.D.LAKSHMIPATHY 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 147, 148, 294(b), 323, 324 and 506(II) of IPC** in Crime No.100 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein apprehending arrest by the respondent police in view of the complaint given by his neighbour alleging that on 07.04.2022 on the instructions of the petitioner and his father Nadarajan, their relatives came in a Mahendra Xylo car and attacked the *de facto* complainant indiscriminately and warned him not to have any quarrel with the petitioner.

3. The learned counsel for the petitioner states that the petitioner was not present at the time of occurrence and he is employed as conductor in Tamil Nadu Transport Corporation, due to land dispute false complaint has been lodged by including his name.



4. The learned Government Advocate (Crl. Side) states that A-2 to A-8 were arrested and released on regular bail and this petitioner is absconding. As far as *de facto* complainant who sustained injury got discharged after 10 days of treatment from the hospital.

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5. Considering the fact that there is no specific overt act attributed against this petitioner except the previous enmity of the petitioner and being a Government servant, this Court is inclined to grant anticipatory bail to the petitioner.

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 **District Munsif cum Judicial Magistrate, Needamangalam**, 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 as and when required for interrogation;

(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.

-sd/-
19/04/2022

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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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, NEEDAMANGALAM.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
HARIDHUVARMANGALAM POLICE STATION,
TIRUVARUR DISTRICT.

+1 CC to M/S.D.LAKSHMIPATHY Advocate on payment of necessary charges SR.NO.5855

CRL OP.8825/2022

Date :19/04/2022

TA-22/04/2022