



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9991 of 2022

AKASH GOKUL CHEZHIYAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE SUB INSPECTOR OF POLICE,
ARAKKONAM TOWN POLICE STATION,
RANIPET DISTRICT
CRIME NO.852 OF 2020

[RESPONDENT]

For Petitioner : M/S.G.THAMIZHAZHAGAN 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 herein apprehending arrest by the respondent police for an offences under Sections 448, 294(b), 323, 307, 506(ii) IPC, 1860 in Crime No.852 of 2020 on the file of the respondent police seeks anticipatory bail.

2. Due to family dispute, this petitioner along with others are trespassed into the defacto complainant's house and attacked causing bleeding injuries on the right hand. The doctor obtained that the injuries sustained are simple in nature.

3. The learned counsel for the petitioner submits that the petitioner has not committed any such offence and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submits that this petitioner along with others are trespassed into the defacto complainant's house and attacked causing bleeding injuries and the injuries sustained are simple in nature.



5. Considering the facts and circumstances of the case and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on anticipatory 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, Arakkonam 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/-

28/04/2022

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,
ARAKKONAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
ARAKKONAM TOWN POLICE STATION,
RANIPET DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.G.THAMIZHAZHAGAN Advocate on payment of necessary
charges SR.NO.6626

CRL OP.9991/2022

Date :28/04/2022

JPA 05/05/2022