



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9071 of 2022

1 GOUSE BASHA

[PETITIONERS / ACCUSED]

2 FAYAS @ FAYAZHAMAD

3 MOHAMMED ALI

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
WALAJAHPET POLICE STATION,
RANIPET DISTRICT
(CRIME NO.188/2022)

For Petitioner : M/S D.THIRUMOORTHY Advocate

For Respondent : M/S.S.SANTHOSH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 323 and 506(i) of IPC in Crime No.188 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. On perusal of FIR indicates that due to previous enmity during the election, wordy quarrel has occurred on the date of occurrence regarding replacing the electoral wire, fight has erupted and the defacto complainant has sustained simple injury.

3. Considering the fact that the defacto complainant and the petitioners are residing nearby and the incident has occurred in a spur of moment and further counter case has been registered against the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners,



4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-II, Walajah on condition that the petitioners shall execute separate bonds for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) each, 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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioners shall report before the Investigating Officer as and when required for interrogation;

(d) the petitioners 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 petitioners in accordance with law as if the conditions has been imposed and the petitioners 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/-
21/04/2022

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, WALAJAH.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
WALAJAHPET POLICE STATION,
RANIPET DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S S.P.ARTHI Advocate on payment of necessary charges
SR.NO. 6055

CRL OP.9071/2022

Date :21/04/2022

RW 25/04/2022