



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Twenty Fifth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN
CRIMINAL ORIGINAL PETITION No.9370 of 2022

BHUVANESWARAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
KOMARAPALAYAM POLICE STATION,
NAMAKKAL,
CRIME NO.114 OF 2022.

[RESPONDENT]

For Petitioner : M/S.J.JAYAN Advocate

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

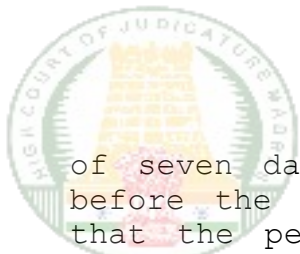
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 Section 294(b), 324, 447 & 506(ii) of IPC in Crime No.114 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner and the de facto complainant are brothers. Due to some financial transaction, wordy quarrel between them on 10.04.2022 had turned into physical assault. The de facto complainant sustained four injuries near his eye alleged to have caused by the petitioner herein using scissor. The de facto complainant was demanding Rs.4,00,000/- which he gave as a loan to the petitioner. When the petitioner went to the de facto complainant house to explain his inability to repay the money, immediately a quarrel erupted. The petitioner herein appears to have gone to the house of the de facto complainant and attacked him with scissors due to provocation.

3. Since the petitioner and the de facto complainant are blood brothers, taking into consideration that the injured have discharged from the hospital and out of danger, 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 Judicial Magistrate, Kumarapalayam 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) 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 Investigating Officer 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/-

25/04/2022

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,
KUMARAPALAYAM

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL (FOR INFORMATION)

3 THE INSPECTOR OF POLICE
KOMARAPALAYAM POLICE STATION,
NAMAKKAL.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.V.BHARATHIDASAN Advocate on payment of necessary
charges SR.6165

CRL OP.9370/2022

Date :25/04/2022

RVR 28/04/2022