



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9398 of 2022

S.BARATH

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
E-1 PONNERI POLICE STATION,
THIRUVALLUR DISTRICT
CRIME NO.108 OF 2022.

[RESPONDENT]

For Petitioner : M/S.S.BASKAR 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 petitioner herein apprehending arrest by the respondent police for the offence under Sections 294(b), 324, 506(II) of IPC r/w 4 of Tamil Nadu Prohibition of Woman's Harassment Act in Crime No.108 of 2022 seeks anticipatory bail.

2. Due to the civil dispute, it appears that there was physical altercation between the petitioner and the defacto complainant, when the defacto complainant tried to attack the petitioner, the petitioner has pushed down the defacto complainant in which the defacto complainant sustained head injury.

3. Considering the background facts which leads to the occurrence, this Court is inclined to grant anticipatory bail to the petitioner.



4. 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, -I, Ponneri, 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 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 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/-
27/04/2022

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.1, PONNERI, THIRUVALLUR DISTRICT.

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

3 THE INSPECTOR OF POLICE,
E-1 PONNERI POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.BASKAR Advocate on payment of necessary charges
SR.NO. 6490

CRL OP.9398/2022

Date :27/04/2022

RW 04/05/2022