



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.9795 of 2022

KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE,
SADRAS POLICE STATION,
CHENGALPATTU DISTRICT.
CRIME NO.137/2022.

[RESPONDENT]

For Petitioner : M/S. R.SASIKUMAR 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 **147, 294(b) & 323 of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002**, in Crime No.137 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Due to property dispute, the family member of two brothers have fought and sustained injuries.

3. The learned counsel for the petitioner states that family elders have now compromised and the *de facto* complainant and the petitioner have sustained simple injuries.

4. The learned Government Advocate (Crl.side) states that the injured persons were not hospitalized and there is no Accident Report.



5. In the light of the above fact, 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 District Munsif Cum Judicial Magistrate, Thirukazhukundram** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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** as and when required for interrogation;

(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/-

28/04/2022

WEB COPY

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, THIRUKAZHUKUNDRAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
SADRAS POLICE STATION,
CHENGALPATTU DISTRICT.

+1 CC to M/S. R.SASIKUMAR Advocate on payment of necessary
charges SR.NO.6596

CRL OP.9795/2022

Date :28/04/2022

TA-05/05/2022