



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.9767 of 2022

1 ISAAC KARTHIKEYAN [PETITIONERS/ ACCUSED]
2 YOBUKARAN

Vs

THE STATE REP BY ITS [RESPONDENT]
THE INSPECTOR OF POLICE,
H-2 GUDUVANCHERY POLICE STATION,
CHENGALPATTU.
(CR.NO.138 OF 2022)

For Petitioner : M/S.D.MANOJ KUMAR 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 petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 341, 294 (b), 324, 307 and 506 (2) of IPC in Crime No.138 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The petitioners herein are arrayed as A6 and A7 in the case registered under Section 341, 294(b), 324, 307 and 506 (2) of IPC for the alleged occurrence on 18.04.2022 wherein one Boobathy Raja was attacked with deadly weapon by three named accused along with few other un-named persons, the name of the petitioner is not found in the FIR.

3. The learned counsel for the petitioners states that the petitioners have not involved in this case. However, the learned Government Advocate (Crl. Side) states that due to previous enmity these petitioners along with others have restrained the victim Boopathy Raja and caused him severe injury all over the body particularly on his left hand and near eye. The injured laceration wound on his right hand little finger and right shoulder and soft tissue injury near fore arm.



5. Considering the fact that injured discharged from the hospital and no specific overt act against these petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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, Chengalpattu*, 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 learned Magistrate concerned and on further conditions that:

(a) if the petitioners 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 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;

(c) the petitioners shall report before the Investigating Officer daily at 10.30 a.m. until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners are 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.

WEB COPY

-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-II,
CHENGALPATTU.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
H-2 GUDUVANCHERY POLICE STATION,
CHENGALPATTU.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.VENNILA Advocate on payment of necessary charges SR.No.6381

CRL OP.9767/2022

Date :27/04/2022

CSK 29/04/2022