



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.10534 of 2022

1 GIRI PRASSATH

[PETITIONERS/ ACCUSED]

2 JAICHANDRAN

Vs

STATE REP BY

[RESPONDENT/COMPLAINANT]

THE INSPECTOR OF POLICE

S-15 SELAIYUR POLICE STATION,

CHENNAI.

(CRIME NO.217/2022)

For Petitioner : M/S.RAJESWARI KARTHIKEYAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest for the alleged offence under Sections 341, 294(b), 323, 324, 307, 506(2) of IPC in Crime No.217 of 2022, on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent.

3.The case of the prosecution is that totally there are four accused involved in this case. The petitioners were arrayed as A3 and A4. It is alleged that due to political rivalry between the petitioners and defacto complainant, a wordy quarrel arose between by them, due to which, the petitioners along with other accused brutally attacked the defacto complainant and others with wooden log, thereby the defacto complainant sustained grievous injury. Hence, this Complaint.



4.Learned counsel for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he pleads for grant of anticipatory bail to the petitioners.

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5.The learned Government Advocate (Crl.Side) would submit that due to wordy quarrel, the petitioners attacked the defacto complainant and others with wooden log, thereby caused injury. The injured has been discharged from the hospital. Further, he would submit that A1 and A2 were arrested and remanded to judicial custody on 30.04.2022. The petitioners are arrayed as A3 and A4. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

6.Taking into consideration the nature of allegations against the petitioners in the FIR and considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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 No.1, Tambaram, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 daily at 10.30.a.m., until further orders;

(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 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;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-

05/05/2022

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.I, TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
S-15 SELAIYUR POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.RAJESWARI KARTHIKEYAN Advocate on payment of
necessary charges SR.No.6800

CRL OP.10534/2022

Date :05/05/2022

CSK 11/05/2022