



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.10647 of 2022

MAHARAJA

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
NAMAKKAL POLICE STATION,
NAMAKKAL DISTRICT.
CRIME NO.137 OF 2022.

[RESPONDENT]

For Petitioner : M/S. S.KASIRAJAN 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 petitioner, who apprehends arrest for the alleged offences under Sections 341, 294(b), 323, 353, 506(i) IPC in Crime No.137 of 2022, on the file of the respondent police, seeks anticipatory bail.

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

3. The case of the prosecution is that the defacto complainant while working as conductor in a bus bearing Registration No.TN 30 N 1158, some students were travelling in foot board, so he asked them to come inside and therefore, the students got angry with him. Then at 5.30 pm, the accused/petitioner had scolded him in filthy language and attacked him as to why he asked the students not to travel in foot board. Due to which he sustained injuries. Hence, a case has been registered by the respondent police.



4. Learned counsel appearing for the petitioner would submit that the petitioner had not committed any offence as alleged by the prosecution, he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

5. Learned Government Advocate (Crl. Side) submitted that the injured had been discharged from the hospital.

6. Considering the nature of the offence, the fact that the injured has been discharged from hospital, this Court is of the view that custodial interrogation of the petitioner is not necessary and this Court is inclined to grant anticipatory bail to the petitioner.

7. 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-I, Namakkal, 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) 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;

(b) the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

(d) the petitioner 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 petitioner 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.

WEB COPY

-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, NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
NAMAKKAL POLICE STATION,
NAMAKKAL DISTRICT.

+1 CC to M/S. S.KASIRAJAN Advocate on payment of necessary
charges SR.NO.6782

CRL OP.10647/2022

Date :05/05/2022

TA-12/05/2022