



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION Nos.10740 & 10745 of 2022

SHOBAN @ SHOBAN CHOUDRI

[PETITIONER / ACCUSED
IN CRL.OP.NO.10740/2022]

M.LAKSHMI

[PETITIONER / ACCUSED
IN CRL.OP.NO.10745/2022]

Vs

THE INSPECTOR OF POLICE
NOLAMBUR POLICE STATION,
CHENNAI 600037.
CRIME NO.172 OF 2022.

[RESPONDENT
IN BOTH THE PETITIONS]

For Petitioner : M/S.D.SREENIVASAN Advocate
[IN BOTH THE PETITIONS]

For Respondent : MR.N.S.SUGANTHAN, Government Advocate, (Crl.Side)
[IN BOTH THE PETITIONS]

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offences under Sections 294(b), 354 C & 506(i) of IPC in Crime No.172 of 2022, on the file of the respondent police, seek anticipatory bail.

2. This is a case registered under Sections 294(b), 354C and 506 (i) of IPC against the petitioners. The allegation is that showing the video of staff using the wash room, they abused the defacto complainant and made criminal intimidation.



3. The learned counsel for the petitioner submitted that the petitioner is a neighbouring owner of the building. The defacto complainant is a manager of the hotel, namely, Arabian Delights. In the Hotel, they stored 400 liters of diesel, without getting any permission and they diverted the smoke towards the petitioner's house through chimney. Therefore, earlier, a complaint was given to the Corporation, Chennai and also Pollution Control Board. Aggrieved against that, the defacto complainant has given the false complaint. Learned Government Advocate (Crl.side) opposed these petitions.

4. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.side) appearing for the respondent.

5. Considering the nature of the allegations given in the First Information Report and the submission of the learned counsel for the petitioners, this Court is of the view that custodial interrogation of these petitioners are not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

5. 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, Ambattur on condition that each of the petitioners shall execute a separate bond for a sum of Rs.25,000/-only (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 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 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.

-sd/-

06/05/2022

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,
AMBATTUR, THIRUVALLUR DISTRICT.

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

3 THE INSPECTOR OF POLICE
NOLAMBUR POLICE STATION,
CHENNAI 600 037.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+4 CC to M/S.D.SREENIVASAN Advocate on payment of necessary charges SR.NO.6863 & 6864

CRL OP.Nos.10740 & 10745 /2022

Date :06/05/2022

RW 12/05/2022