



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Thursday, the Twelfth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.11032 of 2022

VASUDEVAN

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
VALASARAVAKKAM POLICE STATION,  
CHENNAI DISTRICT.  
CRIME NO.NOT KNOWN OF 2022.

[ RESPONDENT ]

For Petitioner : M/S. S.SASIKUMAR Advocate

For Respondent : M/S.S.SUGENDRAN, Additional Public Prosecutor

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 upon the complaint given by the defacto complainant before the Respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is running a compressor machine service centre. It is alleged that the petitioner herein had taken the compressor machine from the de-facto complainant for rental basis, but had failed to pay the rent. When the same was questioned, the petitioner abused the de-facto complainant in filthy language and threatened him with dire consequences.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offences as alleged by the prosecution. He further submitted that he has been falsely implicated in this case. Hence, he pleads for anticipatory bail.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that on the complaint given by one Ramesh, petition enquiry is pending in C.S.R.No.161 of 2022 dated 05.05.2022.

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5. On perusal of the records, it is seen that the issue is pertaining to payment of rent of Rs.2,70,000/- for the compressor machine. According to the learned Counsel for the petitioner, the petitioner had paid the rental amount, but the de-facto complainant demanding equivalent to the compressor value.

6. Considering the facts and circumstances of the case, custodial interrogation of the petitioner is not necessary. Hence, 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 fifteen days from the date of receipt of a copy of this order, before the **Learned Judicial Magistrate, No.1, Poonamalle** on condition that the petitioner shall execute his own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) 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 shall affix his photograph and left thumb impression in the surety bond and the Court concerned may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

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

(c) **the petitioner shall report before the respondent police as and when required for interrogation;**

(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.

-sd/-

12/05/2022

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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.1, POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
VALASARAVAKKAM POLICE STATION,  
CHENNAI DISTRICT.

+1 CC to M/S. S.SASIKUMAR Advocate on payment of necessary  
charges SR.NO.7086

CRL OP.11032/2022

Date :12/05/2022

TA-17/05/2022