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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11249 of 2022

P.VINOD [PETITIONER / ACCUSED]

Vs

THE STATE REP BY [RESPONDENT]
THE INSPECTOR OF POLICE,
G-3 POLICE STATION, KILPAUK,
CHENNAI-600 010.
CR.NO.81 OF 2022.

For Petitioner : M/S.S.VENKATESAN Advocate

For Respondent : MR.A.DAMODARAN, 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 for the offences punishable under Sections 294(b), 323, 506(1) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.81 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that there was a quarrel between the petitioner and the defacto complainant and it is alleged that the petitioner assaulted the defacto complainant with hands and caused injury. Hence, the complaint.

3. The learned counsel for the petitioner would submit that already the petitioner was granted anticipatory bail by this Court on 05.04.2022. However, due to illness, the petitioner was unable to comply with the conditions imposed by this Court within the time stipulated by this Court. Therefore, the petitioner has again filed the present petition seeking for anticipatory bail.

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4. The learned Additional Public Prosecutor would submit that the petitioner attacked the defacto complainant and caused injuries. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 on which the order copy made ready, before the learned **"II Metropolitan Magistrate, Egmore, Chennai"**, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the Investigating Officer at 10.30 a.m, and 5.30 p.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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 have 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].**

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
07/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
NO.II, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
G-3 POLICE STATION, KILPAUK,
CHENNAI-600 010.

+1 CC to M/S.S.VENKATESAN Advocate on payment of necessary charges SR.NO.8518

CRL OP.11249/2022

Date :07/06/2022

TA-09/06/2022

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