



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.11165 of 2022

1 P.BOOBALAN @ VINOTH [PETITIONERS / ACCUSED]
2 D.LAKSHMANAN
3 G.JAI KUMAR
4 D.SURESH KUMAR

Vs

STATE OF TAMIL NADU [RESPONDENT]
THE INSPECTOR OF POLICE,
K-1, SEMBIUM POLICE STATION,
CHENNAI.
(CRIME NO.352 OF 2022)

For Petitioner : M/S.S.SARATH CHANDARAN 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under sections **294(b) , 323, 324 & 506(ii) of IPC** in Crime No.352 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on the date of occurrence, there was a wordy quarrel between the petitioners and the defacto complainant, due to which, the petitioners attacked the defacto complainant by hands and caused simple injuries. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he pleads for grant of anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor would submit that the victim had sustained simple injuries and he has been treated as outpatient.

5. Considering the facts and circumstances of the case and also taking note of the fact that the injured has been treated as outpatient, the custodial interrogation of the petitioner is not necessary and hence, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Learned Metropolitan Magistrate No.V, Egmore, Chennai**, on condition that each of the petitioners shall execute own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each 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 shall affix their photograph 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 respondent police, as and when required for interrogation;**

(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 petitioners 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/-

11/05/2022

WEB COPY

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 METROPOLITAN MAGISTRATE,
NO.V, EGMORE, CHENNAI.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
K-1, SEMBIUM POLICE STATION,
CHENNAI.

+1 CC to M/S.S.SARATH CHANDARAN Advocate on payment of necessary charges SR.NO.6938

CRL OP.11165/2022

Date :11/05/2022

TA-13/05/2022