



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.13089 of 2022

1 YUVAN RAJ (JOSH)
2 WILSON (LOKESH RAJ)

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
INSPECTOR OF POLICE,
THIRUVALANGADU POLICE STATION,
THIRUVALLUR DISTRICT
CRIME NO.25 OF 2022

[RESPONDENT]

For Petitioners : M/S.G.VENKATESWARALU Advocate

For Respondent : MR.S.UDAYA KUMAR, Govt. Advocate (Crl. Side)

For Intervenor : M/S.A.SASI KUMAR Advocate

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 offence punishable under Section 341, 324, and 506(ii) of Indian Penal Code in Crime No.25 of 2022, on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel for the petitioners. The defacto complainant is a practising lawyer and appeared in person and sought intervention for the alleged incident. The incident took place on 18.02.2022 the petitioners herein apprehend arrest, the FIR indicates that the petitioners herein tried to dash the defacto complainant's vehicle and when that was questioned, he threatened him with dire consequence and also attacked him with iron rod on his head. The defacto complainant sustained head injury and contusion over the right eyebrow and over the right cheek and admitted in the hospital treated as inpatient and got discharged subsequently.



3. When Anticipatory bail petition was filed earlier, considering the facts and the enmity prevailing between the accused and the defacto complainant, the anticipatory bail petition was dismissed. Even after two months the petitioner has not been arrested and the defacto complainant states that the respondent police has not even enquired him and recorded his statement.

4. However, considering the nature of the complaint and injury alleged to have sustained by the petitioners herein and the efflux of time from the date of occurrence, this Court is inclined to grant anticipatory bail to the petitioners 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, Thiruttani on condition that the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioners shall report before the learned Judicial Magistrate No- I Poonamallee daily at 10.30 a.m. until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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]; and;



(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-
08/06/2022

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 JUDICIAL MAGISTRATE,
THIRUTTANI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE JUDICIAL MAGISTRATE,
NO.I, POONAMALLEE

4 THE INSPECTOR OF POLICE,
THIRUVALANGADU POLICE STATION,
THIRUVALLUR DISTRICT

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.G.VENKATESWARALU Advocate on payment of necessary charges SR.NO.8734

CRL OP.13089/2022

Date :08/06/2022

JPA 13/06/2022