



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11452 of 2022

VINOTH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPCTOR OF POLICE,
MAPPEDU POLICE STATION,
THIRUVALLUR DISTRICT.
(CRIME NO.120/2022)

[RESPONDENT]

For Petitioner : M/S R.SASIKUMAR 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), 353 & 506(i) of IPC r/w Section 3(1) of Prevention of Damage to Public Property Act, 1984 in Crime No. 120 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that when the defacto complainant viz., Navaneetha Krishnan (Salesman) was working in the Ration shop, the petitioner abused the defacto complainant in a filthy language and there arose a wordy quarrel between them, due to which the petitioner damaged the weighing machine. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is ready to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of crime No. 120 of 2022.



4. The learned Additional Public Prosecutor would submit that there was a wordy quarrel between the petitioner and the defacto complainant. He further submitted that the petitioner damaged the weighing machine worth about Rs.6,000/- However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No. 120 of 2022, within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Tiruvallur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No. 120 of 2022, before the concerned Magistrate, within a period of four weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

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

[f] the petitioner shall not abscond either during investigation or trial.



[g] 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].

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

-sd/-

18/05/2022

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,
NO.II, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT [FOR INFORMATION]

3 THE INSPCTOR OF POLICE,
MAPPEDU POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S R.SASIKUMAR Advocate on payment of necessary
charges SR.NO.7164

CRL OP.11452/2022

Date :18/05/2022

CSK 20/05/2022