



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12576 of 2022

1 AJITH
2 RAJA @ AJITH
3 BASKAR

[PETITIONERS / ACCUSED]

Vs

STATE BY ITS INSPECTOR OF POLICE, [RESPONDENT]
C-5, VENGAL POLICE STATION,
VENGAL, THIRUVALLUR DISTRICT
(CRIME NO.180/2022)

For Petitioner : M/S.K.G.SENTHILKUMAR Advocate

For Respondent : Mr.C.E.Pratap Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest for the alleged offences under sections 294(b), 341, 353 & 506(i) of IPC, in Crime No.180 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that one Venkatesalu, who is an Special Sub Inspector of Police attached to the respondent station, was in duty on 16.05.2022 at about 2.15 a.m, the petitioners herein in a drunken mood, abused him with filthy languages and when the respondent police intercepted them, the petitioners herein threatened the respondent police with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. Hence, they pray for grant of anticipatory bail.

4.The learned Government Advocate (Criminal Side) appearing for the respondent submits that there are totally 5 accused in this case. On 16.05.2022, there was a wordy quarrel between the respondent police and the petitioners. It is further submitted that the petitioners are said to have in drunken state at that time of occurrence and there were no injuries.



5. Heard the submissions made by the learned Counsel appearing for the petitioners and the learned Government Advocate (crl.side) appearing for the respondent.

6. Considering the facts and circumstances of the case and also of the fact that there were no injuries, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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 on which the order copy made ready, before the learned Judicial Magistrate No.I, Thiruvallur District, on condition that each of the petitioners 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 petitions for anticipatory bail shall be dismissed and on further condition that:

(a) 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;

(b) the petitioners shall report before the respondent police as and when required for interrogation.

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

(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 have 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.

WEB COPY

-sd/-

26/05/2022

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.I, THIRUVALLUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
C-5, VENGAL POLICE STATION,
VENGAL, THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.K.G.SENTHILKUMAR Advocate on payment of necessary charges SR.NO.7965

CRL OP.12576/2022

Date :26/05/2022

RVR 27/05/2022