



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRIMINAL ORIGINAL PETITION No.12923 of 2022

1 PREMKUMAR
2 SARAVANAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
E-2, ROYAPETTAH POLICE STATION,
CHENNAI.
(CRIME NO.137 OF 2022)

[RESPONDENT]

For Petitioner : M/S.G.PANDIAN Advocate

For Respondent : MR.N.MUTHUVEL, Govt. Advocate (Crl. Side)

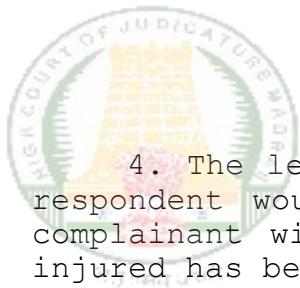
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest for the alleged offence under Sections 147, 148, 341, 294(b), 323, 324 and 506(ii) of IPC in Crime No.137 of 2022 on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that on 21.05.2022 the petitioners scolded the de facto complainant with filthy language and assaulted him with wooden log.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner assaulted the de facto complainant with wooden log and he has sustained injuries and the injured has been discharged from the hospital.

5. Taking into consideration the facts and circumstances of the case and the submissions made on either side and the fact that the injured has been discharged, 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 their arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned XVIII Metropolitan Magistrate Court, Saidapet, Chennai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum 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 petitioners 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 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].

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



7. With the above directions, this Criminal Original Petition is ordered.

-sd/-
01/06/2022

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 METROPOLITAN MAGISTRATE,
NO.XVIII, SAIDAPET, CHENNAI

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

3 THE INSPECTOR OF POLICE,
E-2, ROYAPETTAH POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.G.PANDIAN Advocate on payment of necessary charges
SR.NO.8466

CRL OP.12923/2022

Date :01/06/2022

JPA 03/06/2022