



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.12862 of 2022

ELANGO

[PETITIONER / ACCUSED]

Vs

STATE BY INSPECTOR OF POLICE
VEERAPANDI POLICE STATION,
TIRUPPUR CITY,
CRIME NO.393 OF 2022.

[RESPONDENT]

For Petitioner : M/S.J.FRANKLIN Advocate

For Respondent : MR.A.GOKULAKRISHNAN, Additional public Prosecutor
Assistant by M/S.J.R.ARCHANA, Advocate

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

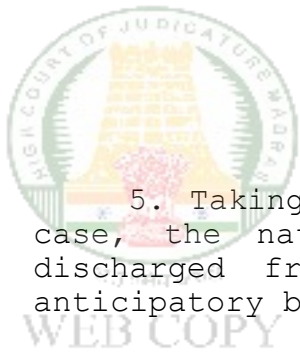
ORDER : The Court Made the following order :-

The petitioner, who has been arrayed as A4 apprehends arrest for the alleged offences under Sections 147, 148, 341, 342, 294(b), 363, 323, 324 and 506(ii) of IPC in Crime No.393 of 2022 on the file of the respondent police and seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute, the petitioner along with other accused attacked the de facto complainant and grabbed a sum of Rs.20,000/- from him.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the injuries are simple in nature and the injured has been discharged from the hospital.



5. Taking into consideration the facts and circumstances of the case, the nature of injury and that the injured has also been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.IV, Tiruppur 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 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 report before the respondent police as and when required.

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

[d] the petitioner 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 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].

[f] If the accused thereafter absconds, 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 JUDICIAL MAGISTRATE,
NO.IV, TIRUPPUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION,
TIRUPPUR CITY,

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.J.FRANKLIN Advocate on payment of necessary charges
SR.NO.8416

CRL OP.12862/2022

Date :01/06/2022

JPA 02/06/2022