



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.12917 of 2022

1 ASHIK @ MOHAMMED ASHIK [ PETITIONERS / ACCUSED ]  
2 ANAS @ MOHAMMED ANAS  
3 SULAIMAN

Vs

STATE REP BY [ RESPONDENT ]  
THE INSPECTOR OF POLICE,  
MINJUR POLICE STATION,  
TIRUVALLUR DISTRICT.  
CR.NO.259 OF 2022.

For Petitioner : M/S.M.NAGOOR MOIDEEN Advocate

For Respondent : M/S.A.GOKULAKRISHNAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 336 and 506(i) of I.P.C, in Crime No.259 of 2022, and they have filed this petition seeking for anticipatory bail.

2. The case of the prosecution is that the petitioners abused the defacto complainant with filthy language and also assaulted and intimidated him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the defacto complainant is the father-in-law of A1 and due to family dispute, a false case has been foisted against the petitioners. Hence, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the injured has been discharged from the



hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the above facts and circumstances of the case and also of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions.

6. Accordingly, this Criminal Original Petition is allowed. 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 of receipt of a copy of this order, before the learned **Judicial Magistrate-II, Ponneri**, on condition that each of the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioners shall report before respondent police as and when required.

[c] the petitioners shall not tamper with the 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 are 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 229-A IPC.

-sd/-

01/06/2022

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, PONNERI.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
MINJUR POLICE STATION,  
TIRUVALLUR DISTRICT.

+1 CC to M/S.M.NAGOOR MOIDEEN Advocate on payment of necessary  
charges SR.NO.8471

CRL OP.12917/2022

Date :01/06/2022

TA-06/06/2022