



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.12944 of 2022

1 J.MAGESHWARAN
2 S SUDHAKAR

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
M-6, MANALI POLICE STATION,
MANALI
CRIME NO.212/2022

[RESPONDENT]

For Petitioner : M/S.SAM NANDHAKUMAR 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 at the hands of the respondent police for the alleged offences punishable u/s.294(b), 324 and 506(ii) IPC in Crime No.212 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that a wordy quarrel arose between the petitioners and the defacto complainant, during which the petitioners have attacked the defacto complainant with wooden log. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners have attacked the defacto complainant with wooden log and caused injuries. He would further submit that the injured has been discharged from the hospital and the petitioners have no previous case.



5. Taking into consideration of the fact that the injured has been discharged from the hospital and the antecedents of the petitioners this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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6. 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, Tiruvotiyur, on condition that the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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 for interrogation.

[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 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.



1 THE JUDICIAL MAGISTRATE,
TIRUVOTIYUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
M-6, MANALI POLICE STATION,
MANALI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.SAM NANDHAKUMAR Advocate on payment of necessary
charges Sr.8371

CRL OP.12944/2022

Date :01/06/2022

RVR 06/06/2022