



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.12964 of 2022

B.RAJENDRAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
B-2 ESPLANADE POLICE STATION,
CHENNAI.
(CRIME NO.173/2022)

[RESPONDENT]

For Petitioner : M/S. P.RAJKUMAR Advocate

For Respondent : M/S.N.MUTHUVEL, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 324 and 506(ii) of IPC in Crime No.173 of 2022 and seeks anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel, the petitioner abused the *de facto* complainant in filthy language, assaulted her with knife and threatened her with dire consequences.

3. The learned Counsel for the petitioner submitted that the petitioner is innocent person and he is no way connected with the alleged occurrence. Hence, he prays for granting of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent submitted that due to wordy quarrel, the petitioner abused the *de facto* complainant with filthy language, assaulted with knife and threatened her with dire consequences. He further submitted that the injured has been discharged from the hospital. Hence, he opposed to grant anticipatory bail to the petitioner.



5. Taking into consideration the facts and submissions of the learned Counsel on either side and the fact that the injured has been discharged, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before **the learned VII Metropolitan Magistrate, George Town, Chennai**, on condition that the petitioner shall execute a separate 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 Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for the interrogation.

[c] the petitioner shall not tamper with the 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 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

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

-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 METROPOLITAN MAGISTRATE,
NO.VII, GEORGE TOWN, CHENNAI.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
B-2 ESPLANADE POLICE STATION,
CHENNAI.

+1 CC to M/S. P.RAJKUMAR Advocate on payment of necessary
charges SR.NO.8274

CRL OP.12964/2022

Date :01/06/2022

TA-06/06/2022