



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13504 of 2022

ARULARASAN

[PETITIONER / ACCUSED]

Vs

THE SUB INSPECTOR OF POLICE, [RESPONDENT]
LAW AND ORDER, WALAJAPET POLICE STATION,
VELLORE DISTRICT.
(CRIME NO.685/2020)

For Petitioner : M/S.T.SARAVANAN Advocate

For Respondent : MR.A.DAMODARAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 332, 353 and 506(2) of IPC, in Crime No.685 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 21.06.202, the petitioner had violated the lock down conditions and when the police had asked him to get away, the petitioner has abused the policemen and also assaulted them, due to which, one of the policeman sustained fracture. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner was earlier granted bail by this Court in CRL.O.P.No.10308 of 2020 dated 09.07.2020. However, the petitioner was not execute the sureties within the stipulated time, for the reasons that the mother of the petitioner fell down in bathroom, due to that, she was taking



treatment and subsequently she was expired on 25.10.2020. Thereby, earlier bail granted was got lapsed. Therefore, the present petition has been filed. Hence, he prays to grant anticipatory bail to the petitioner.

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4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner come to the street in a drunken mood, due to which, he had assaulted the policeman and one of the policeman sustained fracture in his hand. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and also considering the reason stated by the petitioner is justifiable, 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 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 No.I, Wallajapet, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each (out of which, one shall be his blood surety), to the satisfaction of the respondent police or the police officer who intends to arrest or 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 every day at 10.30 a.m for a period of two weeks and thereafter every Monday at 10.30 a.m., until further orders.

[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.

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-sd/-

13/06/2022

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.I,WALLAJAPET.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
LAW AND ORDER,WALAJAPET POLICE STATION,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.T.SARAVANAN Advocate on payment of necessary charges
SR.No.8915

CRL OP.13504/2022

Date :13/06/2022

CSK 16/06/2022