



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14322 of 2022

V.DAVID RAJA

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE,
HASTHAMPATTY POLICE STATION,
SALEM CITY.
CRIME NO.180 OF 2022.

[RESPONDENT]

For Petitioner : M/S D.ALEXIS SUDHAKAR 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 apprehends arrest at the hands of the respondent police for the offences punishable under Section 75 of Juvenile Justice (Care and Protection of Children) Act 2015, in Crime No.180 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that during the routine check up of Juvenile Justice Board, the officers found one juvenile with injuries on his face and therefore the Principal Judicial Magistrate enquired about the same and he stated that he was assaulted by the petitioner who is superintendent of home. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Further, he submitted that the petitioner has not caused any injuries to the said Dhanush/victim and that the victim was not juvenile, since he is 18 years and 7 months old. Hence, he prays for anticipatory bail.

4. The learned Additional Public Prosecutor would submit that the petitioner has caused injuries to the juvenile. Hence, he



vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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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 **Judicial Magistrate III, Salem**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, one among the surety shall be a blood relative of the accused, each for a like sum 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 appear before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

24/06/2022

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,
NO.III, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
HASTHAMPATTY POLICE STATION,
SALEM CITY.

+1 CC to M/S D.ALEXIS SUDHAKAR Advocate on payment of necessary
charges SR.NO.9879

CRL OP.14322/2022

Date :24/06/2022

TA-30/06/2022