



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Seventh day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.14686 of 2022

1 B.VINAYAGAM

[PETITIONERS / ACCUSED]

2 P.GANESAN

Vs

STATE REP.BY

[RESPONDENT]

THE INSPECTOR OF POLICE

H-6, R.K.NAGAR POLICE STATION,

TONDIARPET, CHENNAI.

CRIME NO.156/2022.

For Petitioner : M/S.B.BHARATH Advocate

For Respondent : MR.S.UDAYA KUMAR, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners herein, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) IPC in Crime No.156 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The second anticipatory bail petition moved by the accused in Crime No.156 of 2022 for the alleged offences under Sections 294 (b), 324, 506(ii) IPC. It is a dispute between landlord and tenant.

3. Learned Government Advocate (Crl.Side) for the respondent states that the counter complaint has been registered pursuant to the complaint given by second petitioner/Ganesan as against Ummu Salma and others and the same being registered in Crime No.160 of 2022. The said Ummu Salma is the defacto complainant in the case registered in Crime No.156 of 2022 wherein, the petitioner now seeks anticipatory bail. Further, he states that the injured persons discharged from hospital.



4. Considering the above said fact, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the **Learned XVI Metropolitan Magistrate, George Town, Chennai** on condition that each of the petitioners shall execute a separate bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand Only)**, with two sureties 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 and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) **the petitioners shall report before the Investigating Officer as and when required for an interrogation;**

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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]**; and;



(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
27/06/2022

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 METROPOLITAN MAGISTRATE,
NO.XVI, GEORGE TOWN, CHENNAI.

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

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
H-6, R.K.NAGAR POLICE STATION,
TONDIARPET, CHENNAI.

+2 CC to M/S.B.BHARATH Advocate on payment of necessary charges
SR.NO.10028

CRL OP.14686/2022

Date :27/06/2022

TA-29/06/2022