



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14251 of 2022

P.KUBERAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE, (L AND O),
M3, PUZHAL POLICE STATION,
PUZHAL,
CHENNAI-600 066.
CRIME NO.590/2022.

[RESPONDENT]

For Petitioner : M/S.M.DEVENDIRAN Advocate

For Respondent : M/S.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 Sections 324, 427 and 506(i) of IPC, in Crime No.590 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are brothers. It is alleged that there was a wordy quarrel between the petitioner and the defacto complainant during which, the defacto complainant was assaulted with wooden log by the petitioner and caused injuries. Further alleged that the petitioner damaged the car of the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner



is ready to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.590 of 2022, without prejudice to his right of defence. Therefore, he prays for grant of anticipatory bail to the petitioner.

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4. The learned Additional Public Prosecutor would submit that due to wordy quarrel, the petitioner attacked the defacto complainant with wooden log and caused severe injuries. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only), without prejudice to his right of defence, to the credit of Crime No.590 of 2022, within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned District Munsif cum Judicial Magistrate, Madhavaram, Chennai-600 060, on condition that the petitioner shall execute a 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 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 deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.590 of 2022, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.



[g] 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].

[h] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

21/06/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, MADHAVARAM,
CHENNAI-600 060.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 INSPECTOR OF POLICE (L AND O),
M3, PUZHAL POLICE STATION,
PUZHAL, CHENNAI-600 066.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.DEVENDIRAN Advocate on payment of necessary
charges SR.NO. 9602

CRL OP.14251/2022

Date :21/06/2022

RW-27/06/2022