



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.14628 of 2022

VIJAY

[PETITIONER / ACCUSED]

Vs

STATE BY INSPECTOR OF POLICE
S-8, ADAMBAKKAM POLICE STATION,
ADAMBAKKAM, CHENNAI-88.
(CRIME NO.1120/2020).

[RESPONDENT]

For Petitioner : M/S. A.P.SATHYA MURTHY 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 alleged offences punishable under Sections 294(b), 324, 323, 506(2), 427 of IPC in Crime No. 1120 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused abused and attacked the husband of the defacto complainant with knife and wooden log. Hence, the complaint.

3. The learned counsel for the petitioner would submit that there is a case in counter against the defacto complainant in Crime No.1121 of 2020 and a false case has been foisted against the petitioner. Hence, he prays for grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.



5. Considering the above fact and circumstances of the case and also of the fact that there is case in counter and the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

WEB COPY

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 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.II, Alandur, 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 report before the respondent police daily 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.

-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.



TO

1 THE JUDICIAL MAGISTRATE,
NO.II, ALANDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
S-8, ADAMBAKKAM POLICE STATION,
ADAMBAKKAM, CHENNAI-88.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. A.P.SATHYA MURTHY Advocate on payment of necessary
charges SR.No.9979

CRL OP.14628/2022

Date :24/06/2022

CSK 29/06/2022