



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Third day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14406 of 2022

ARAVINDSAMY

[PETITIONER / ACCUSED]

Vs

THE STATE OF TAMIL NADU,
THE INSPECTOR OF POLICE,
THARAMANGALAM POLICE STATION,
SALEM DISTRICT.
CRIME NO.305 OF 2022

[RESPONDENT]

For Petitioner : M/S.DEEPAN UDAY 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 294(b), 323, 324 and 506(i) of IPC in Crime No.305 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a Hotel. On 07.06.2022, the petitioner along with others came to the defacto complainant's hotel and picked a wordy quarrel with him, abused him with filthy language, assaulted him with deadly weapons, threatened him and also caused injuries to him.. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent submits that the petitioner along with others came to the defacto complainant's hotel and picked a wordy quarrel with him, abused him with filthy language, assaulted him with deadly weapons, threatened him and also caused injuries to him. He further submit the injured was discharged from the hospital on 14.06.2022. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

7. Taking into consideration the facts and submissions of the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;.

8. 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 made ready, before the learned Judicial Magistrate, Omalur, Salem District 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 four weeks and thereafter as and when required for an 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 absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-
23/06/2022

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,
OMALUR, SALEM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THARAMANGALAM POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.DEEPAN UDAY Advocate on payment of necessary charges

CRL OP.14406/2022

Date :23/06/2022

RW-29/06/2022