



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.14643 of 2022

R.SHARMILA

[PETITIONER / ACCUSED]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
R3, POLICE STATION, ASHOK NAGAR,
CHENNAI.
CRIME NO.147 OF 2022

[RESPONDENT]

For Petitioner : M/S.G.RAMAPRIYA GOPALAKRISHNA Advocate

For Respondent : MR.A.DAMODARAN, Additional public Prosecutor

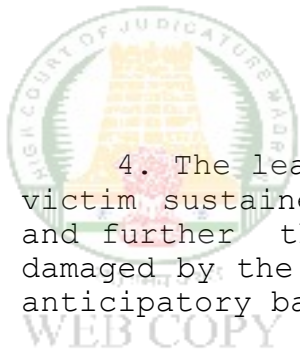
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294b, 307, 323, 324, 326 and 506(2) in Crime No. 147 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that totally there are seven accused in this case. It is alleged that there was a land dispute between the petitioner's family and the defacto complainant's family, due to which, petitioner along with other accused attacked the defacto complainant using knife and iron rod. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the victim sustained grievous injuries and was admitted in the hospital and further the two wheeler, which is belong to the victim was also damaged by the accused persons. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. On perusal of the FIR, this Court does not find any specific overt act against this petitioner. Hence, this Court is inclined to grant anticipatory bail to the petitioner with a condition that the petitioner shall stay at Chengalpattu until further order.

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 made ready, before the XVII Metropolitan Magistrate, Saidapet, Chennai 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 Chengalpattu Town Police Station daily at 10.30 a.m. for a period of two 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
24/06/2022

WIP COPY
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.XVII, SAIDAPET, CHENNAI

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

3 THE INSPECTOR OF POLICE
R3, POLICE STATION,
ASHOK NAGAR, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE
CHENGALPET TOWN POLICE STATION,
CHENGALPET

+2 CC to M/S. G.RAMAPRIYA GOPALAKRISHNA Advocate on payment of necessary charges SR.NO.9965

CRL OP.14643/2022

Date :24/06/2022

JPA 30/06/2022