



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Ninth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14754 of 2022

1 MANIKANDAN [PETITIONERS / ACCUSED]
2 UDAYAPRAKASH
3 MAHENDRAN
4 VASANTHAKUMAR

Vs

STATE REP BY ITS, [RESPONDENT]
THE INSPECTOR OF POLICE,
KARAIKAL TOWN POLICE STATION,
PONDICHERRY.
CR.NO.123 OF 2022.

For Petitioner : M/S.S.K.SYED ELIYAS Advocate

For Respondent : MR.V.BALAMURUGANE, Additional Public Prosecutor
for Puducherry,

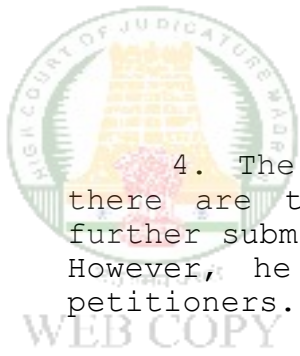
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 452, 354(b), 324, 506(ii) IPC r/w 34 of IPC in Crime No. 123 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to family dispute, the 1st accused along with other accused had entered into the defacto complainant's house and attacked her with knife and caused injuries to her. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Therefore, he prays anticipatory bail to the petitioners.



4. The learned Additional Public Prosecutor would submit that there are totally four accused involved in this case. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their 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, Kaaraikkal, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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 1st and 2nd petitioners 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 interrogation. The 3rd and 4th petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 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]**.



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

WEB COPY

-sd/-
29/06/2022

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, KARAIKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
PUDUCHERRY.

4 THE INSPECTOR OF POLICE,
KARAIKKAL TOWN POLICE STATION,
PONDICHERRY.

+1 CC to M/S.S.K.SYED ELIYAS Advocate on payment of necessary charges SR.NO.10354

CRL OP.14754/2022

Date :29/06/2022

TA-05/07/2022