



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Monday, the Fourth day of July Two Thousand Twenty Two

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PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.15268 of 2022

1 ROHIT SHENAI @ ROHIT
2 PRADHAP CHINNAIYYAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
E-3 MINJUR POLICE STATION,
THIRUVALLUR DISTRICT
CR.NO.285 OF 2022.

[RESPONDENT]

For Petitioner : M/S.M.NAGOOOR MOIDEEN 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 448, 294(b) and 506(ii) of IPC r/w 3 of TNPPDL in Crime No. 285 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity the petitioner along with other accused had wordy quarrel between the defacto complainant, as a result of which, the petitioner caused damages to the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they are ready to abide by any stringent condition that may be imposed on them. Therefore, he prays for grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that there are totally 8 accused involved in this case. The petitioners are arrayed as A1 and A3. Due to previous enmity, the petitioners caused damages to the defacto complainant worth about Rs.50,000/-. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are directed to pay a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the defacto complainant by way of Demand Draft and on such payment, 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, Ponneri, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000 /- (Rupees Ten Thousand only) each with two blood related 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 petitioners shall pay a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the defacto complainant by way of Demand Draft.

[c] the 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.

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

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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].



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

-sd/-

04/07/2022

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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, PONNERI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
E-3 MINJUR POLICE STATION,
THIRUVALLUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.M.NAGOOR MOIDEEN Advocate on payment of necessary charges Sr.10548

CRL OP.15268/2022

Date :04/07/2022

RVR 06/07/2022