



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

Monday, the Fourth day of July Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.15236 of 2022

1 R.VAIYAPURI
2 P.LENIN KUMAR
3 V.DIVAKAR

[PETITIONERS / ACCUSED]

Vs

STATE REP BY [RESPONDENT]
INSPECTOR OF POLICE,
B5, WALAJABAD POLICE STATION,
WALAJABAD-631 604, KANCHEEPURAM.
CR.NO. 241/2022.

For Petitioner : M/S. A.JEEVANANTHAM 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 323, 324, 294(b), 506(ii) of TNPHW of IPC in Crime No. 241 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are neighbours, that there was a previous enmity between them due to pendency of civil dispute, that case in counter case has been registered against each other.

3. The learned counsel for the petitioners would submit that there is a case in counter case against the defacto complainant and a false case has been foisted against the petitioners. Hence, he prays for grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the injured has been discharged from the hospital on 16.06.2022. However, he vehemently opposed to grant anticipatory bail to the petitioners.



5. Considering the above fact and circumstances of the case and also of the fact that there is case in counter case 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 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.I, Kancheepuram, 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 petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter 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.

-sd/-

04/07/2022

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.1, KANCHEEPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 INSPECTOR OF POLICE,
B5, WALAJABAD POLICE STATION,
WALAJABAD, KANCHEEPURAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. A.JEEVANANTHAM Advocate on payment of necessary
charges Sr.10595

CRL OP.15236/2022

Date :04/07/2022

RVR 06/07/2022