



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.25733 of 2021

P.Raja

.. Petitioner

Vs.

The State Rep.by  
The Inspector of Police,  
Kilkondungalore Police Station,  
Thiruvannamalai District.  
Crime No.414 of 2021

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,  
praying to enlarge the petitioner on bail in the event of arrest in  
Crime No.414 of 2021 on the file of the respondent.

For Petitioner : Mr. L. Uthaya Kumar

For Respondent : Mr.N.S.Suganthan,  
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 294(b), 324 506(ii) of IPC in Crime No.414 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was dispute between the petitioner and the defacto complainant, due to which, the petitioner assaulted the defacto complainant's father with Manvetti and threatened the defacto complainant and his family members and caused injuries on the defacto complainant's father. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not been committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. However, on instructions, he submits that the petitioner without prejudice to his rights and on his own volition, is ready to deposit a sum Rs.10,000/- to the credit of Crime No.414 of 2021. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.Side) submits that the petitioner assaulted the defacto complainant's father with Manveti and sustained injuries. He further submits that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the injured has been discharged from the hospital and also the fact that the petitioner is ready to deposit a sum Rs.10,000/- to the credit of Crime No.414 of 2021, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.414 of 2021, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Vandavasi, 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 and on further condition that:

[a] the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.414 of 2021 before the concerned Magistrate within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and the defacto complainant is permitted to withdraw the said deposit amount of Rs.10,000/- on proper identification and acknowledgment;

[b] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioner shall report before the respondent police on Saturday at 10.30p.m for a period of four weeks and thereafter as and when required for an interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner 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 petitioner in accordance with law as if the conditions has been



imposed and the petitioner is 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]; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

-sd/-

03/01/2022

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,  
VANDAVASI

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUVANNAMALAI (FOR INFORMATION)

3 INSPECTOR OF POLICE,  
KILKODUNGALORE POLICE STATION,  
THIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S.L.UTHAYA KUMAR Advocate on payment of necessary charges Sr.127

CRL OP.25733/2021

Date :03/01/2022

RVR 06/01/2022