

IN THE COURT OF SESSIONS AT CHENNAI

Present: Tmt. S. Alli, M.L.,

Principal Sessions Judge

Thursday, the 20th day of October , 2022

Crl.M.P.No.20082/2022

in

H.6, R.K.Nagar P.S. Cr.No.570/2022

1. Sakthivel
2. Kathirvel
3. Radha@Ammu

.. Petitioners/Accused.

Vs.

State Rep. by
The Inspector of Police,
H.6, R.K.Nagar Police Station,
Chennai.

..Respondent/Complainant.

This petition is coming on this day before me for hearing in the presence of M/s. S.Jebadas Pandian, M.Malarkodi and Saravana Manjunath, Counsel for the petitioners and of CPP for respondent and upon hearing them, this Court delivered the following :

ORDER

1. The petitioners, apprehending arrest at the hands of the respondent police, for the alleged offence u/s.294(b), 324 and 506(ii) IPC in Cr.No.570/2022 on the file of the respondent police, seek anticipatory bail.

2. Heard both sides.

3. Learned counsel for the petitioners submits that the petitioners and the defacto complainant are residing in the same locality. It is a case and counter case. Counter case No.571/2022. An exaggerated complaint has been given. Injured has been discharged from the hospital. This petitioners are noway connected with the alleged offence. They apprehend arrest at the hands of the respondent police. They are ready to abide by any condition that may be imposed on them. Hence, prays for granting anticipatory bail.

4. Dispute between local residents. The allegation is that these petitioners under the influence of alcohol quarreled with the defacto complainant and attacked him with bricks. However, according to learned CPP, the victim sustained only simple injury. No bad antecedent is reported against these petitioners. It is a case in counter. Counter case

No.571/2022. Considering the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners on condition.

5. 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 of this order, before the learned XV Metropolitan Magistrate, Chennai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a likesum 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 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 appear before the respondent police daily at 10.00 a.m. until further orders.

[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 Supreme Court in P.K. Shaji Vs. State of Kerala [(2005) AIR SCW 5560].

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

Delivered by me today in the open Court.

S ALLI

Digitally signed by S
ALLI
Date: 2022.10.20
17:16:51 +0530

Principal Sessions Judge

Copies to:

1. Learned XV Metropolitan Magistrate, Chennai.
2. CPP, Chennai.
3. The Inspector of Police, H.6, R.K. Nagar Police Station, Chennai.

nmk

Crl.M.P.No.20082/2022