

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Dr. Justice S. VIMALA

CRIMINAL ORIGINAL PETITION No.8418 of 2017

DHEELIP @ DHEELIP KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE

AUROVILLE POLICE STATION

VILUPURAM DISTRICT.

CR.NO.260/2017.

For Petitioner : M/S.E.KANNADASAN Advocate

For Respondent : PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 399 IPC, in Crime No.260 of 2017, on the file of the respondent Police, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioner has nothing to do with the alleged offence.

3. The case of the prosecution is that, on 18.04.2017, when the defacto complainant / the Inspector of Police, along with other policemen were on duty, they received an information, based on which they made a search near Sivan Temple, where they said to have found one Surya @ Suryamoorthy, along with other accused, who were in suspicious manner and on seeing the respondent Police, they were tried to escape from the spot, but the respondent Police secured them and on enquiry, it was revealed that the said persons were in preparation to commit dacoity.

4. The learned Government Advocate (Crl. Side) would submit that, as only one previous case is pending as against the petitioner, he has no objection to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to entertain this petition.

5.1. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Vanur, Villupuram District, 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:

(i) the petitioner shall report before the respondent Police, on every Monday and Wednesday, at 10.30 am, for a period of four weeks and thereafter, as and when required for interrogation;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioner shall not abscond either during investigation or trial;

(iv) on breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is authorized to take appropriate action against the petitioner, in accordance with law, as if the conditions have been imposed and the petitioners were released on bail by the learned Magistrate / Trial Court, as laid down by the Hon'ble Supreme Court in the case of **P.K.Shaji v. State of Kerala (2005) AIR SCW 5560.**

-sd/-
24/05/2017

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VANUR, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM DISTRICT. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
AUROVILLE POLICE STATION
VILUPURAM DISTRICT.

+1CC to M/S.E.KANNADASAN Advocate on payment of necessary
charges SR.NO. 9435

CRL OP.8418/2017

Date :24/05/2017

EGR 26/05/2017