

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty First day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL ORIGINAL PETITION No.20146 of 2018

1 M.PREM KUMAR
2 P.AMULRAJ
3 R.RAGHU

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
M-5, ENNORE POLICE STATION,
CHENNAI DISTRICT.
CR.NO.611 OF 2018.

[RESPONDENT]

For Petitioner : M/S.A.M.NATRAJ Advocate

For Respondent : MR.G.RAMAR GOVERNMENT PLEADER [Crl.side]

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 341 & 506 (i) of IPC in Crime No.611 of 2018 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2.The learned counsel for the petitioners would submit that the earlier bail application in Crl.O.P.No.19331 of 2018 and the same was dismissed on 03.08.2018 and the substantial part of the investigation is over.

3. The learned Government Advocate (crl.side) has submitted that as against one M.Premkumar, out of two cases, one was compounded at Lok Adalath dated 09.12.2017, in respect of another petitioner P.Amulraj, there are three cases as against him.

4.Taking into consideration the above facts and that the stage of investigation is over, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions:-

5.Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance

before the learned Judicial Magistrate, Thiruvottriyur, Chennai

District within a period of fifteen days from the date of receipt of a copy of this order 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 like sum to the satisfaction of the learned Judicial Magistrate, Thiruvottiyur and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled.

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the concerned Magistrate may obtain a copy of their Aadhar card or bank pass book to ensure their identity.

(c) the petitioners shall report before the respondent police daily at 10.30 a.m until further orders.

(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 v. State of Kerala [(2005) AIR SCW 5560]**;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

सत्यमेव जयते

-sd/-

21/08/2018

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,
THIRUVOTTRIYUR, CHENNAI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

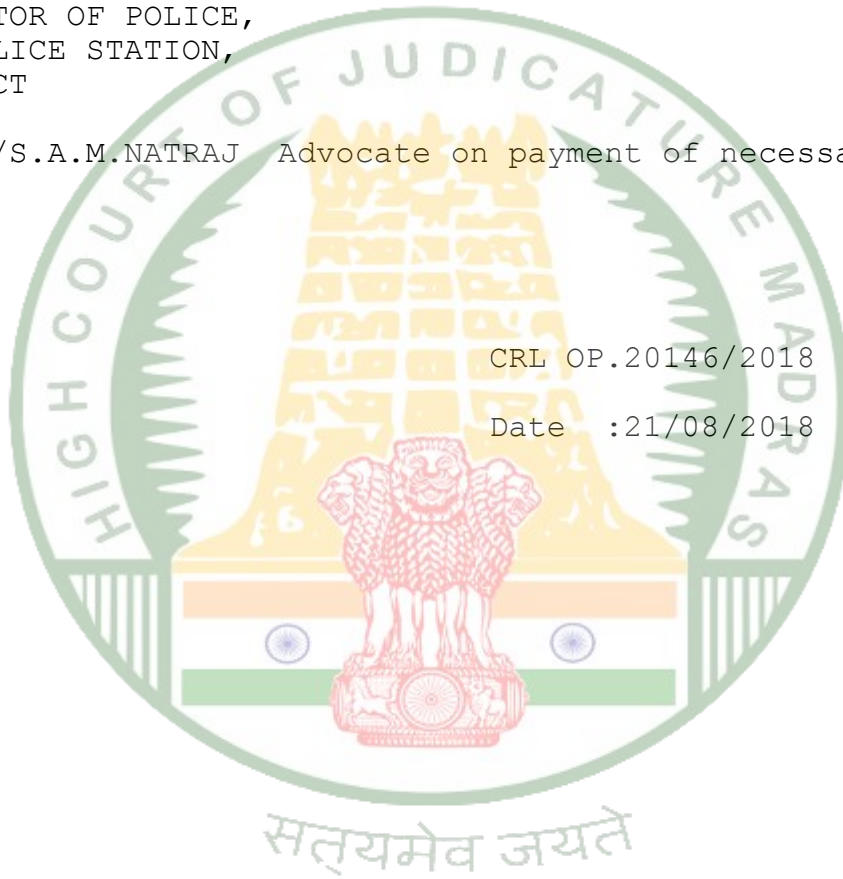
4 THE INSPECTOR OF POLICE,
M-5, ENNORE POLICE STATION,
CHENNAI DISTRICT

+1CC to M/S.A.M.NATRAJ Advocate on payment of necessary charges
SR.NO. 15594

CRL OP.20146/2018

Date :21/08/2018

CM 21/08/2018



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