

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

Wednesday, the Twenty Seventh day of June Two Thousand Eighteen

PRESENT

The Hon`ble Mrs Justice S. RAMATHILAGAM
CRIMINAL ORIGINAL PETITION No.14403 of 2018

ISAKKI MUTHU

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE
VEERAPANDI POLICE STATION,
TIRUPUR DISTRICT
CR.NO.387 OF 2017.

[RESPONDENT]

For Petitioner : M/S.S.PARAMESWARAN Advocate

For Respondent : MR. M.MOHAMED RIYAZ, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 457, 380 of IPC in Crime No.387 of 2017 on the file of the respondent police, seek anticipatory bail.

2. Heard both sides.

3. The case of the prosecution is that the petitioner/A1 entered the house of the defacto complainant's house and theft of 1.5 sovereign of gold bangles worth about Rs.15,000/-.

4. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case. Hence, the petitioner may be granted anticipatory bail.

5. The learned Additional Public Prosecutor submitted that the petitioner had break open the house of the defacto complainant and stolen the jewellery. He would further submit that the stolen property was recovered.

6. Taking into consideration of the fact that the stolen property was recovered by the respondent, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. (i) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.IV, Tiruruppur, within a period of 15 days from the date of receipt of a copy of this order, on their executing a separate 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] if the petitioners fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[b] the petitioners shall report before the learned learned Judicial Magistrate No.IV, Tiruruppur, daily twice at 10.30 a.m and 5.30 p.m. for a period of two weeks and thereafter, as and when required before the respondent police for interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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/-
27/06/2018

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,
NO.IV, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
TIRUPUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.PARAMESWARAN Advocate on payment of necessary
charges in SR.NO. 11721

CRL OP.14403/2018

Date :27/06/2018

MLT-02/07/2018