

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventh day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19511 of 2018

1 K.RAJINI, [PETITIONERS / ACCUSED]
2 E.SATHISH KUMAR,

Vs

THE STATE REPRESENTED BY [RESPONDENT]
THE INSPECTOR OF POLICE,
B-5, WALAJABAD POLICE STATION,
WALAJABAD,
KANCHEEPURAM DISTRICT.
CR.NO.334 OF 2018.

For Petitioner : M/S.M.UMA SHANKAR Advocate

For Respondent : MR. M.PRABHAVATHI, Additional Public Prosecutor

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 Section 380 IPC in Crime No.334 of 2018 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2.It is the case of the prosecution that the petitioners and other accused have committed robbery of iron rods by using gas cutting machine in the campus of the power plant belonging to M/s JPR company in Eicher vehicle bearing Reg.No.TN09Q5652 and Yamaha fazer bearing Reg.No.IN TN 21 BZ4933. Hence, this case has been registered.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and the petitioners did not commit any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor would submit that the case property has been recovered by the respondent police and the Investigation is pending.

5. In view of the above, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Kancheepuram, within a period of fifteen days from the date of receipt of a copy of this order on condition that

(a) each of the petitioners 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(b) 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.

(c) each of the petitioners shall deposit a sum of Rs.25,000/- to the credit of crime No.334 of 2018 on the file of the respondent police and should submit the receipt of the deposit before the trial Court while executing the bond;

(d) the petitioners shall report before the respondent police daily at 10.30 a.m for a period of four weeks and thereafter, as and when required for interrogation;

(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioners shall not abscond either during investigation or trial;

(g) 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]**;

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

-sd/-

07/08/2018

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,
NO.II, KANCHEEPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

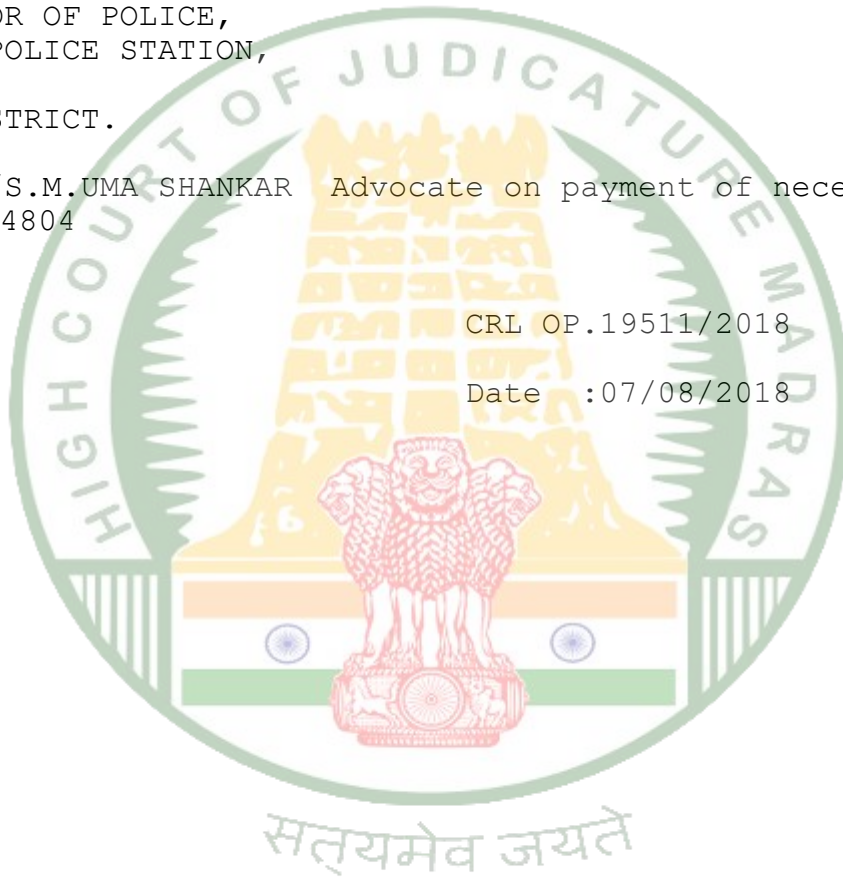
4 THE INSPECTOR OF POLICE,
B-5, WALAJABAD POLICE STATION,
WALAJABAD,
KANCHEEPURAM DISTRICT.

+1 CC to M/S.M.UMA SHANKAR Advocate on payment of necessary
charges SR.NO. 14804

CRL OP.19511/2018

Date :07/08/2018

TA-11/08/2018



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