

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.2268 of 2019

R.SENTHIL

[PETITIONER / ACCUSED]

Vs

STATE REP BY,
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ST.THOMAS MOUNT,
CHENNAI.
CR.NO.NOT KNOWN OF 2019.

[RESPONDENT]

For Petitioner : M/S.M.G.JAYASEELAN Advocate

For Respondent : M/S.S.T.THANKIRA, Govt. Advocate (Crl.Side)

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 offence punishable under Sections 420 and 506 (ii) of IPC in Crime No.73 of 2009 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons have received a sum of Rs.4,80,000/- from two of the victims by promising to get a job. The FIR was registered in the year 2009 and is kept pending till today. There are totally 6 accused persons. The Accused persons A1, A3, A5 and A6 were arrested and released on bail and A2 and A4 have already obtained Anticipatory Bail.

3. The learned Government Advocate submitted that the investigation is still pending.

4. Taking into consideration the facts and circumstances of the case and also of the fact that there is enormous delay in investigation and all the other accused persons have been released either on bail or anticipatory bail, this Court is inclined to grant Anticipatory bail to the petitioner subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Poonamallee 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent Police once in a week i.e. every Monday at 10.30 a.m. for a period of 4 weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
12/02/2019

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,
POONAMALLEE.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

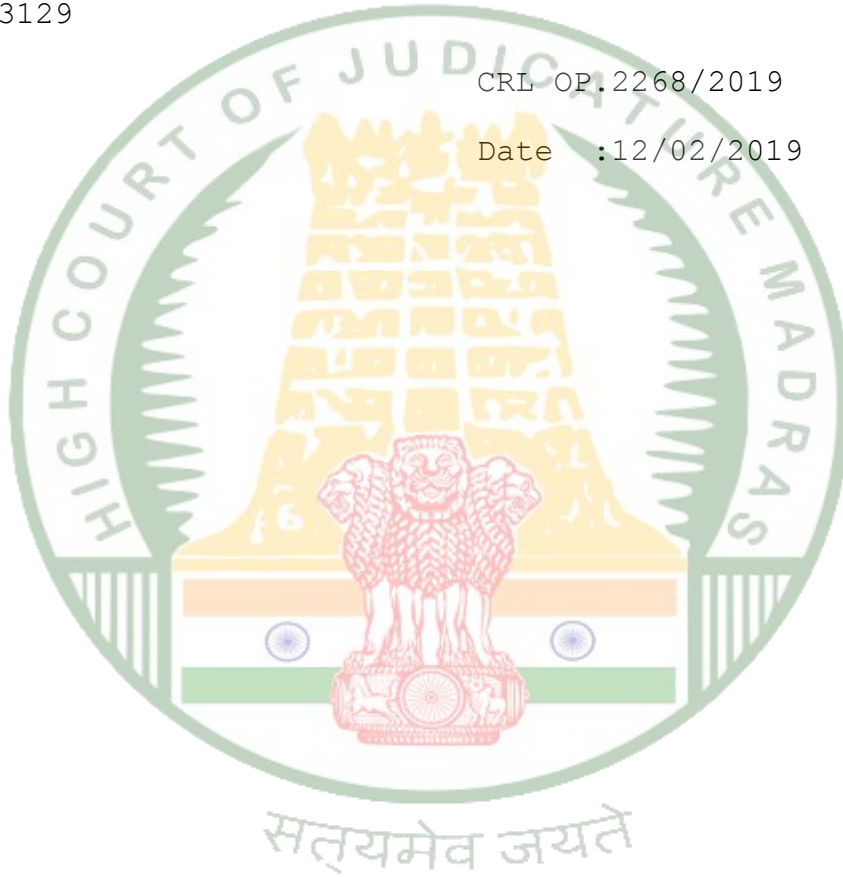
4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ST.THOMAS MOUNT,
CHENNAI.

+1 CC to M/S.M.G.JAYASEELAN Advocate on payment of necessary
charges SR.NO.3129

CRL OP.2268/2019

Date :12/02/2019

TA-14/02/2019



WEB COPY