

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.3220 of 2019

NAGARAJ

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE, [RESPONDENT]
PATTABIRAM POLICE STATION,
THIRUVALLUR DISTRICT.
CR.NO.914 OF 2018.

For Petitioner : M/S.OM SAI RAM Advocate

For Respondent : MRS.M.PRABHAVATHI ADDL.PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL 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 offences punishable under Sections 147, 148, 341, 323, 363, 342 and 506(ii) of IPC in Crime No.914 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had received a sum of Rs.7,50,000/- on the ground of securing job to the son of A2. Since no job was secured and the amount was also not repaid, A2 with the help of the five other accused persons is said to have abducted the defacto complainant for the purpose of recovering the amount and had caused injuries to the defacto complainant.

3. The learned Additional Public Prosecutor submitted that this petitioner is a paid assailant and there are previous cases against him. The learned counsel further submitted that the other accused persons had already been granted anticipatory bail by this Court.

4. Taking into consideration, the facts and circumstances, this Court is inclined to grant anticipatory bail to this petitioner with certain conditions. 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 on which the order copy made ready, before the learned Judicial Magistrate No.2, Thiruvallur on condition that the petitioner 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 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 daily, at 10.30 a.m., for a period of four 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/-

07/02/2019

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,
NO.2, THIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVLLUR[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR

HIGH COURT, MADRAS
<https://e-services.courts.gov.in/eservices/>

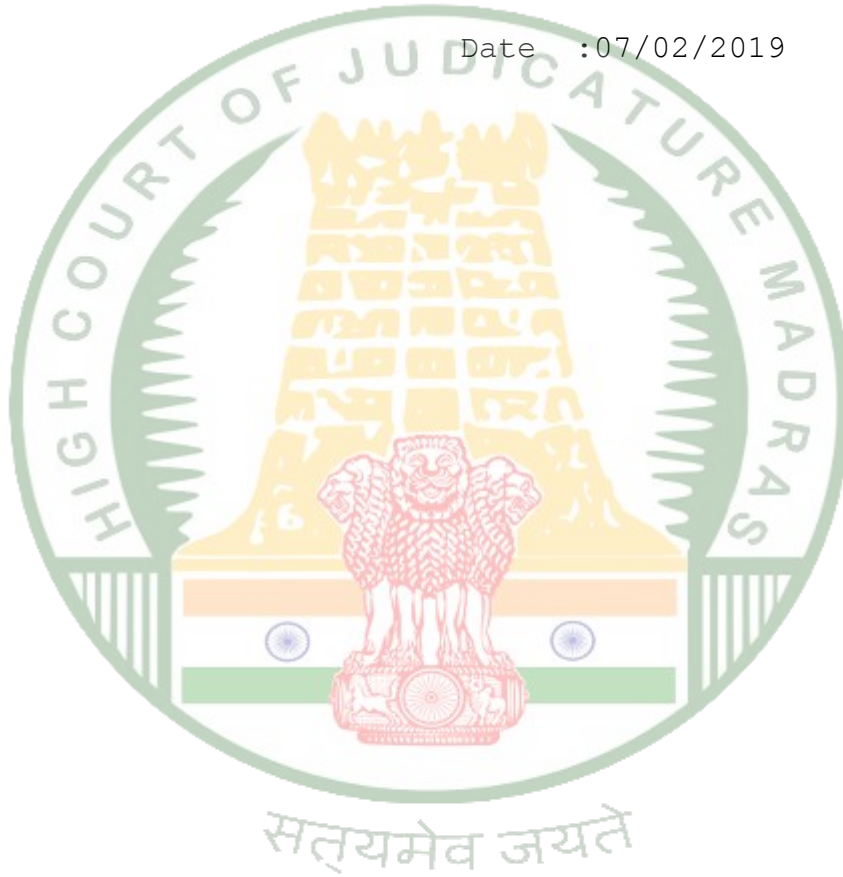
4 THE INSPECTOR OF POLICE,
PATTABIRAM POLICE STATION,
THIRUVALLUR DISTRICT.

+1 CC to M/S.OM SAI RAM Advocate on payment of necessary
charges SR.NO. 2732

CRL OP.3220/2019

Date :07/02/2019

RD 11/02/2019



WEB COPY