

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.8401 of 2019

K.Devadoss

... Petitioner

Vs.

The State,
Represented by:
The Inspector of Police,
Thiruvannamalai Taluk Police Station,
Thiruvannamalai,
[Crime No.86 of 2019]

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of Criminal Procedure Code to grant anticipatory bail to the petitioner in the event of his arrest in Crime No.86 of 2019 [on the file of the Thiruvannamalai Taluk Police Station, Thiruvannamalai District].

For Petitioner : Mr.S.Sankarasubbu
for M/s.P.Pugalandhi

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

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ORDER

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under section 399 of IPC in Crime No.86 of 2019, seeks anticipatory bail.

2. Heard both sides.

3. The case of the prosecution is that on 23.01.2019 when the defacto complainant who is working in the respondent police station along with his police party routine work and at that time the petitioner and the other accused have allegedly preparation to commit dacoity at Adiannamalai. Hence, this complaint.

4. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has no role to play and he has been falsely implicated in this case and that there is no previous case is pending against the petitioner. Hence, he sought for anticipatory bail to the petitioner.

5. The learned Additional Public Prosecutor would submit that the petitioner and the other accused have allegedly preparation to commit dacoity at Adiannamalai. He would further submit that there is no previous case is pending against the petitioner.

6. Considering the above facts and circumstances of the case, that there is no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on anticipatory 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, Thiruvannamalai 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 no 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 appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall pay a sum of Rs.5,000/- [Rupees Five Thousand Only] to the Hon'ble The Chief Justice Relief Fund.

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

[e] the petitioner 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 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].

G.K.ILANTHIRAIYAN, J.
msm

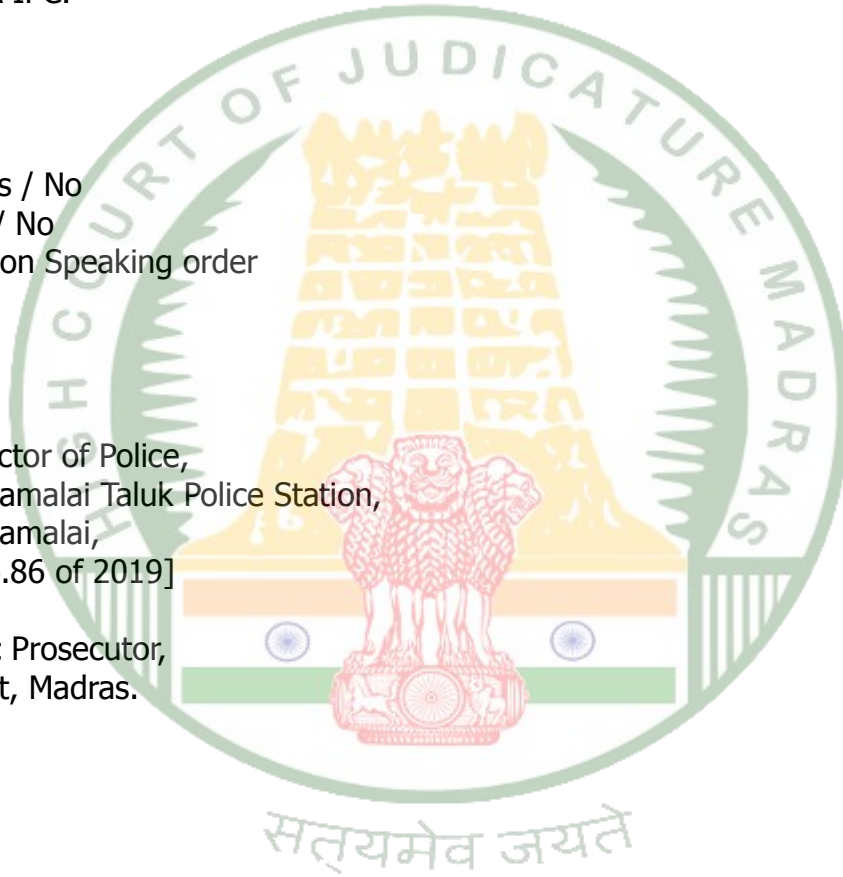
[g] If the accused thereafter absconds, a fresh FIR can be registered under
Section 229A IPC.

29.03.2019

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
msm

To

1. The Inspector of Police,
Thiruvannamalai Taluk Police Station,
Thiruvannamalai,
[Crime No.86 of 2019]
2. The Public Prosecutor,
High Court, Madras.



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