

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Second day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.8702 of 2019

BINO EDWARD SINGH

[PETITIONER / ACCUSED]

Vs

STATE OF TAMIL NADU REP BY
THE INSPECTOR OF POLICE,
S-10, PALLIKARANAI POLICE STATION,
PALLIKARANAI, CHENNAI.
CRIME NO.835 OF 2018

[RESPONDENT]

For Petitioner : M/S.AMALRAJ A. Advocate

For Respondent : M/S.C.RAGHAVAN Government Advocate

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 alleged offence under Section 379 I.P.C. in Crime No.835 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant's Yamaha bike YZF R 153 bearing registration number TN 32 AL 9167 was found missing. Hence, the complaint.

3. The learned counsel for the petitioner would submit that this is the third anticipatory bail petition and the petitioner did not involve in the alleged offence. He also submitted that even in the FIR the petitioner's name is not mentioned. He would further submit that the petitioner is a III year engineering student at VELS University and he is having examination commencing from 10th of April 2019. Hence, he prays for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that there is no previous case as against the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is a student and there are no previous cases against this petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. 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, Tambaram, Chennai, 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 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 06.30 p.m until further orders.

[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 petitioners in accordance with law as if the condition 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/-

02/04/2019

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,
TAMBARAM, CHENNAI

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
S-10, PALLIKARANAI POLICE STATION,
PALLIKARANAI, CHENNAI

+1 CC to M/S.AMALRAJ A. Advocate on payment of necessary
charges SR.NO.6754

CRL OP.8702/2019

Date :02/04/2019

cm 09/04/2019