

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Fifth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.17185 of 2019

ANANDAN

[PETITIONER / ACCUSED]

Vs

STATE

[RESPONDENT]

THE INSPECTOR OF POLICE,
RATHINAPURI POLICE STATION,
COIMBATORE DISTRICT.

(*) (CR.NO.276 OF 2018)

For Petitioner : M/S. G.NIRMAL KRISHNAN Advocate

For Respondent : MR.L.CHARLES PREMKUMAR Government 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 offences punishable under Sections 171 and 420 IPC in **(*)Crime No.276 of 2018**, seeks anticipatory bail.

2.The case of the prosecution is that on 21.03.2017 when the defacto complainant was riding in his motorcycle two men who came in another motor cycle stopped him. One of the person was in Police Uniform. They said they wanted to enquire him about the jewel theft and asked him to hand over the bike keys. They also took him to another place and asked him to hand over his mobile phone and 1 ½ sovereigns gold chain. When the defacto complainant and his friend went to take xerox copy of their RC book they found the men missing with the defacto complainant's vehicle. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the co-accused was arrested and already recovery was effected through him. Further, petitioner is working as a marketing executive and if he is arrested he will lose his social status. Therefore, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the charge sheet has been filed in C.C.No.8 of 2018 before the learned
<https://services.e-courts.gov.in/services> No.II Coimbatore. However, she vehemently opposed to grant anticipatory bail to the petitioner.

5.Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 No.II Coimbatore on condition that each petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood 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 on further condition that:

[a] the petitioner and the two blood 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 learned Judicial Magistrate No.II Coimbatore daily at 10.30 a.m., and 5.30 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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
25/07/2019

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.

(*) Amended as per order of this Court dated 12.02.2020 made in
Crl.MP.No.1779/2020 in Crl.OP.No.17185/2019

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

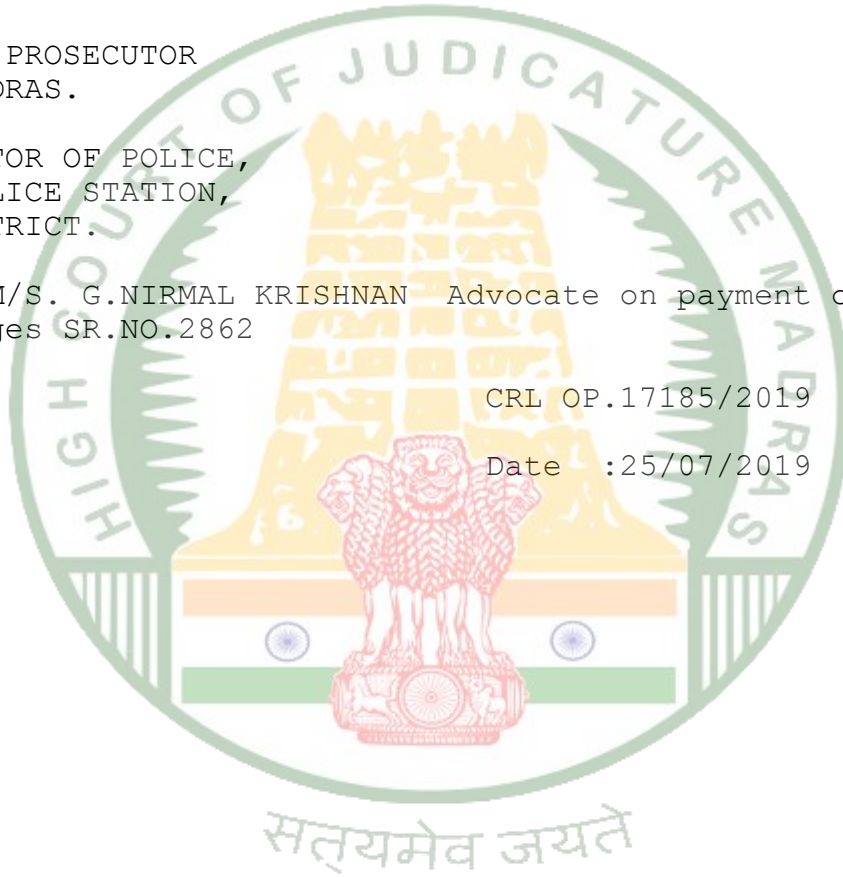
4 THE INSPECTOR OF POLICE,
RATHINAPURI POLICE STATION,
COIMBATORE DISTRICT.

+1 CC to M/S. G.NIRMAL KRISHNAN Advocate on payment of
necessary charges SR.NO.2862

CRL OP.17185/2019

Date :25/07/2019

TA-31/07/2019
cs 19/02/2020



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