

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eighth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.17831 of 2019

SATHYA @ LODUKU SATHYA

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
H-1, WASHERMENPET POLICE STATION,
CHENNAI-600 021.
CR.NO.204 OF 2019.

For Petitioner : M/S.T.DHANASEKARAN Advocate

For Respondent : MRS. M.PRABHAVATHI, Additional Public Prosecutor

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 341, 294 (b), 384 & 506(ii) IPC in Crime No.204 of 2019, seeks anticipatory bail.

2.The case of the prosecution is that on 05.04.2019, when the defacto complainant came to Kannan Roundtana Railway Gate for having lunch at the time, the petitioner along with co-accused restrained the defacto complainant and abused filthy language and the petitioner taken Rs.210/- from the defacto complainant's pocket and also given life threat to him. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioner are is an innocent person and he is no way connected with the above case. He further submitted that the petitioner has nothing to do with the alleged offence. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the crime has been registered for the offences punishable under Sections 341, 294(b), 384 & 506(ii) IPC. Hence, she vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the 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 Metropolitan Magistrate-XV, George Town, 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 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 two 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 second petitioner in accordance with law as if the conditions have been imposed and the second 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/-

08/07/2019

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.

TO

1 THE METROPOLITAN MAGISTRATE,
<https://hcservices.ecourts.gov.in/hcservices/>
NO.XV, GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
H-1, WASHERMENPET POLICE STATION,
CHENNAI-600 021.

+1 CC to M/S.T.DHANASEKARAN Advocate on payment of necessary
charges SR.NO.13825

CRL OP.17831/2019

Date :08/07/2019

TA-23/07/2019



WEB COPY