

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of December Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice M. SATHYANARAYANAN

and

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.26686 of 2019

T.ARUL

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DCB POLICE STATION,
DHARMAPURI DISTRICT.
CR.NO.1 OF 2018.

[RESPONDENT]

For Petitioner : M/S.M.RAJENDIRAN Advocate

For Respondent : MR.R.PRATHAP KUMAR (ADDITIONAL PUBLIC PROSECUTOR)

For Intervener : M/S.A.ILAYA PERUMAL, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

This Court, in continuation and in conjunction, with the earlier orders dated 04.10.2019 and 07.11.2019, is passing the following order.

2. The learned counsel appearing for the petitioner would submit that in the light of the undertaking given, the petitioner, who is a practicing Advocate, has scrupulously complied with the undertaking and prays for enlargement him on bail, in the event of arrest.

3. The learned Additional Public Prosecutor appearing for the State would submit that the petitioner appeared before the respondent for the purpose of enquiry and submitted 11 documents and the said documents are also under scrutiny and the investigation is in advance stage.

4. The learned counsel appearing for the intervenor would submit that the petitioner, being a practising Advocate, may very well know about the consequence of indulging in fake arbitral proceedings and strongly opposes the petition for Anticipatory Bail.

5. This Court, in the light of the above facts and circumstances, especially taking into consideration of the fact that the petitioner, in the light of the undertaking given had cooperated with the respondent / prosecution and also submitted documents and further taking into consideration of the fact that he is a practising Advocate belongs to local Bar, is inclined to consider his plea for enlargement on bail, in the event of arrest.

6. In the result, this Criminal Original Petition is ordered subject to condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.II, Dharmapuri and he shall stay in Dharmapuri District and report before the respondent Police, as and when required. The petitioner shall not indulge in the activities of tampering of witnesses and hampering of investigation. If the petitioner fails to comply with any one of the conditions, it is open to the respondent/State to move this Court for cancellation of the bail.

-sd/-
19/12/2019

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 PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

2 THE JUDICIAL MAGISTRATE,
NO.II, DHARMAPURI.

3 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI. [FOR INFORMATION]

4 THE INSPECTOR OF POLICE,
DCB POLICE STATION,
DHARMAPURI DISTRICT.

+1 CC to M/S.M.RAJENDIRAN Advocate on payment of necessary charges SR.NO.26368

+1 CC to M/S.A.ILAYA PERUMAL, Advocate on payment of necessary charges SR.NO.26439

CRL OP.26686/2019

Date :19/12/2019

TA-20/12/2019