

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)
Monday, the Third day of February Two Thousand Twenty
PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.1677 of 2020

ANANDBABU

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
INSPECTOR OF POLICE,
ARAKKONAM TOWN POLICE STATION,
VELLORE, VELLORE DISTRICT.
CRIME NO.579 OF 2019.

[RESPONDENT]

For Petitioner : M/S.B.SUNDARAPANDIYAN Advocate

For Respondent : MR.C.IYYAPPARAJ, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The The petitioner, who apprehends arrest at the hands of the respondent police for the offences under Sections 420, 468 and 471 of IPC in Crime No.579 of 2019 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are brothers and sisters, wherever the property allotted to the petitioner they have parted themselves, a civil dispute pending is before this Court and stay was granted in CMP.No.14919 of 2019 dated 18.07.2019 in favour of the petitioner.

3. The learned APP appearing for the state would submit that it is a civil dispute and the relationship between the petitioner and the defacto complainant is as brother and sister and a civil suit is pending and investigation is also pending.

Considering the relationship between the petitioner and the defacto complainant and the pendency of the civil suit I am inclined to grant of bail to the petitioner are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Arakkonam, 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police 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 petitioner in accordance with law as if the conditions 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]; and;

(e) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

03/02/2020

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,
ARAKKONAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ARAKKONAM TOWN POLICE STATION,
VELLORE, VELLORE DISTRICT.

+1CC to M/S.B.SUNDARAPANDIYAN Advocate on payment of necessary
charges SR NO.2021

CRL OP.1677/2020

Date :03/02/2020

MK:07/02/2020



WEB COPY