

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Seventeenth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL ORIGINAL PETITION No.6047 of 2020

SHANTHOSH KRISHNAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
TIRUPPUR DISTRICT.
CR.NO.326/2019.

[RESPONDENT]

For Petitioner : M/S.M.R.SENTHILKUMAR Advocate

For Respondent : MR.K.PRABAKAR ADDL. 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 406 and 420 of IPC, in Crime No.326 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that A1 and A2 have obtained a loan from the de-facto complainant for purchasing car and without repaying the loan, they sold the car to this petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was granted anticipatory bail by this Court in Cr1.O.P.No.32972 of 2019, dated 24.01.2020. He would further submit that due to illness, the petitioner was unable to furnish surety before the concerned Court. Hence, he filed a present petition.

4. The learned Additional Public Prosecutor would submit that A1 and A2 have obtained a loan from the de-facto complainant for purchasing car and without repaying the loan, they sold the car to this petitioner. He further submit that the investigation is in progress.

5. Taking into consideration of the facts 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 thirty days from the date on which the order copy is made ready, before the learned Judicial Magistrate-IV, Tiruppur District, 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 Aadhaar 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 is directed to pay a sum of Rs.2,000/- to the Credit of Legal Service Authority before the concerned Court.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

17/03/2020

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,
NO.IV, TIRUPPUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR[FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
VEERAPANDI POLICE STATION,
TIRUPPUR DISTRICT.

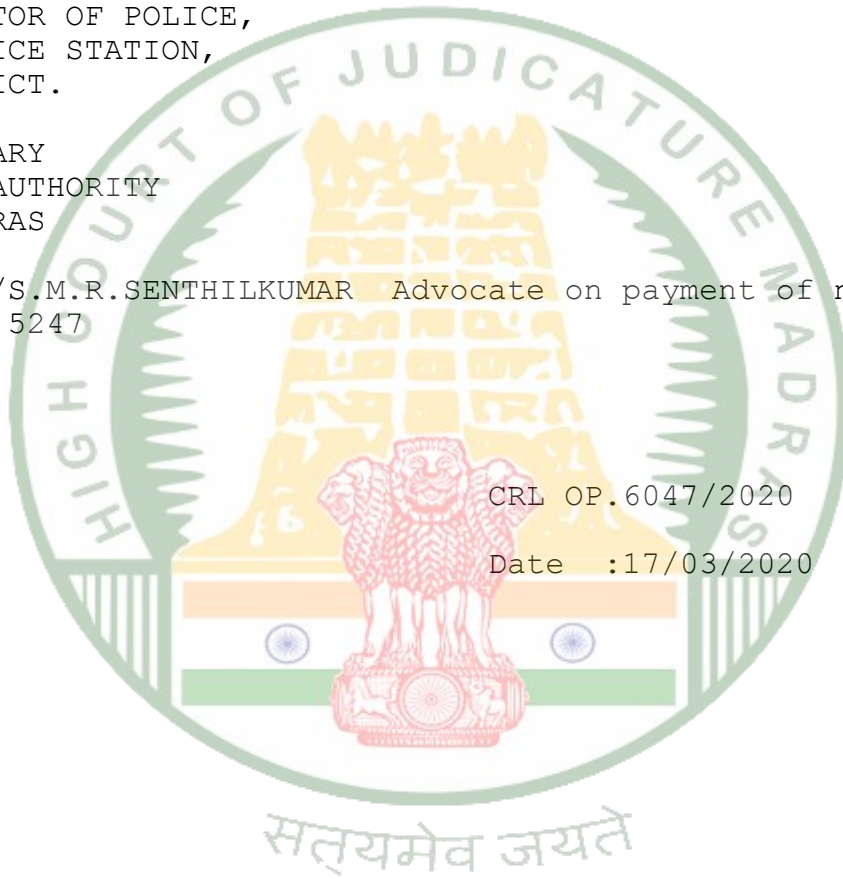
5 THE SECRETARY
LEGAL SERVICE AUTHORITY
HIGH COURT,MADRAS

+1 CC to M/S.M.R.SENTHILKUMAR Advocate on payment of necessary
charges SR.NO. 5247

CRL OP.6047/2020

Date :17/03/2020

RD 22/05/2020



WEB COPY