

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twentieth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice T.RAJA

CRIMINAL ORIGINAL PETITION No.6667 of 2020

1 K.VENKATESAN
2 S.ANTHONY

[PETITIONERS / ACCUSED]

Vs

[RESPONDENT]

STATE REP. BY
THE INSPECTOR OF POLICE,
PONNAI POLICE STATION,
VELLORE DISTRICT.
CR.NO.61 OF 2020.

For Petitioner : M/S.K.G.SENTHILKUMAR, Advocate

For Respondent : MR.S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC, in Crime No.61 of 2020, on the file of the respondent police, seek anticipatory bail.

2. It is the case of the prosecution that the petitioners are alleged to have transported raw stone illegally in their vehicle. Hence, the complaint.

3.Learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.Learned Additional Public Prosecutor appearing for the respondent submitted that the petitioners have transported raw stone in their vehicle vide Registration No.TN-38-BP-0039 without any bill and transit permit. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners 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 on which the order copy made ready, before the learned Judicial Magistrate-I at Walajapet, Vellore District, on condition that the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of one week and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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].

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

-sd/-

20/03/2020

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.1, WALAJAPET, VELLORE DISTRICT.

<https://e-services.courts.gov.in/e-services/>

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

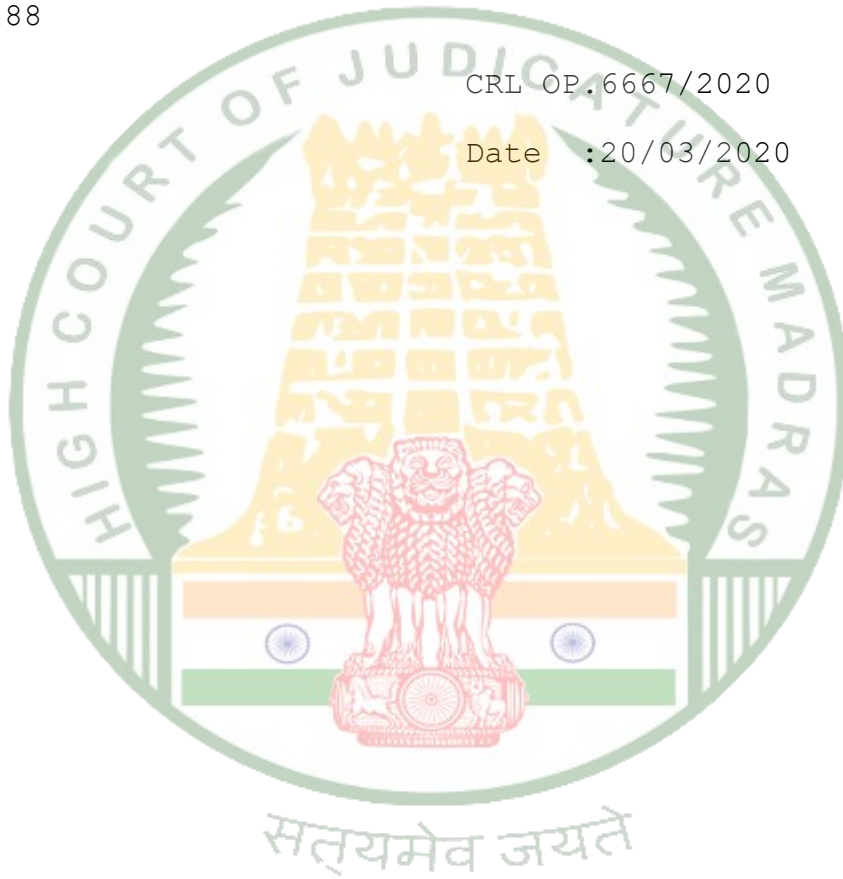
4 THE INSPECTOR OF POLICE,
PONNAI POLICE STATION,
VELLORE DISTRICT.

+1 CC to M/S. K.G.SENTHILKUMAR Advocate on payment of necessary
charges SR.NO.5488

CRL OP.6667/2020

Date :20/03/2020

TA-22/05/2020



WEB COPY