

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.8223 of 2020

Velmurugan

... Petitioner

Vs.

State by

The Inspector of Police,
Virudhachalam Police Station,
Cuddalore.

(Cr.No.877 /2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioners on bail pending investigation in Crime No.877 of 2020 on the file of the respondent police.

For Petitioner : Mr.M.Selvam

For Respondent : Mr.Mohammed Riyaz

Additional Public Prosecutor

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ORDER

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 379 IPC in Crime No.877 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner had cut and stolen a tree valued at Rs.5,000/- from the National Highways.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Taking into consideration the 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 Judicial Magistrate I, Virudhachalam on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five thousand only) each 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, 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 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 persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

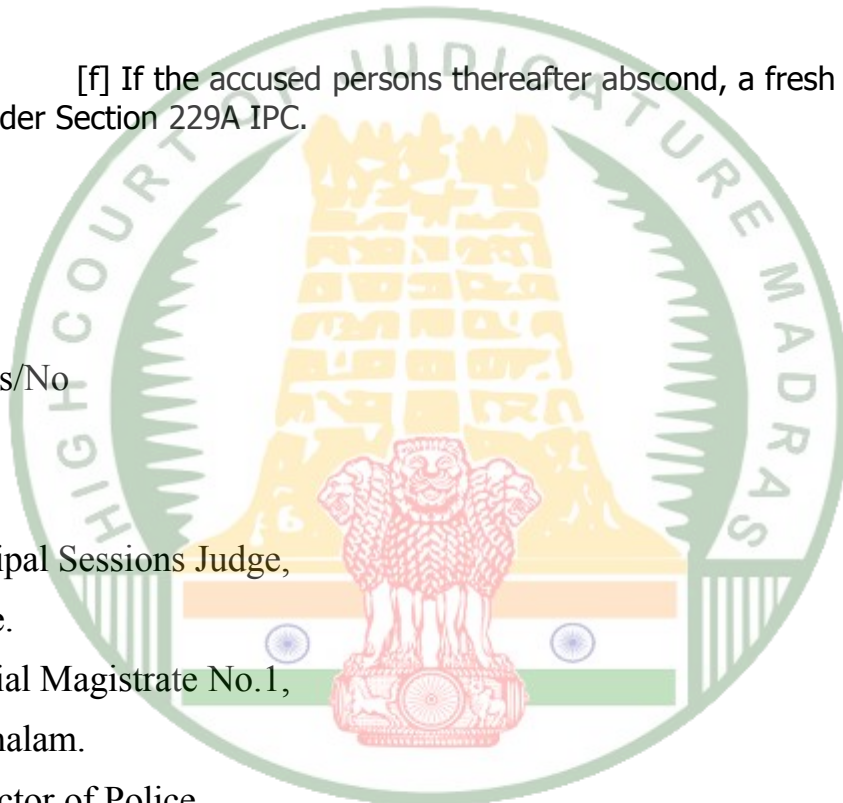
08.06.2020

Internet : Yes/No

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To.

1. The Principal Sessions Judge,
Cuddalore.
2. The Judicial Magistrate No.1,
Virudhachalam.
3. The Inspector of Police
Virudhachalam Police Station,
Cuddalore.
4. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH,J

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