

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2020

CORAM :

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P.No.8375 of 2020

Raja @ Thangaraj

... Petitioner

Vs.

State represented by its
Inspector of Police,
Chitode Police Station,
Erode District.

... Respondent

Criminal Original Petition filed under Section 438 Cr.P.C., praying to
enlarge the petitioner on bail in the event of his arrest in Crime No.476 of 2020
on the file of the respondent police.

For Petitioner : Mr.J.Ranjithkumar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

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ORDER

The petitioner, who apprehends arrest at the hands of the respondent
police for the alleged offences punishable under Section 3(1) of Tamil Nadu

Property (Prevention of Damage and Loss) Act, 1992, and Section 511 IPC in Crime No.476 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner attempted to break open the TASMAL shop in his desperation to consume liquor.

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

4.Considering the facts and circumstances of the case, 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 No.III, Erode, on condition that the petitioner shall execute his own bond for a sum of Rs.5,000/- (Rupees five thousand only) 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 conditions that:

[a] the petitioner shall affix his photograph and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his 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]**.

N.ANAND VENKATESH, J.

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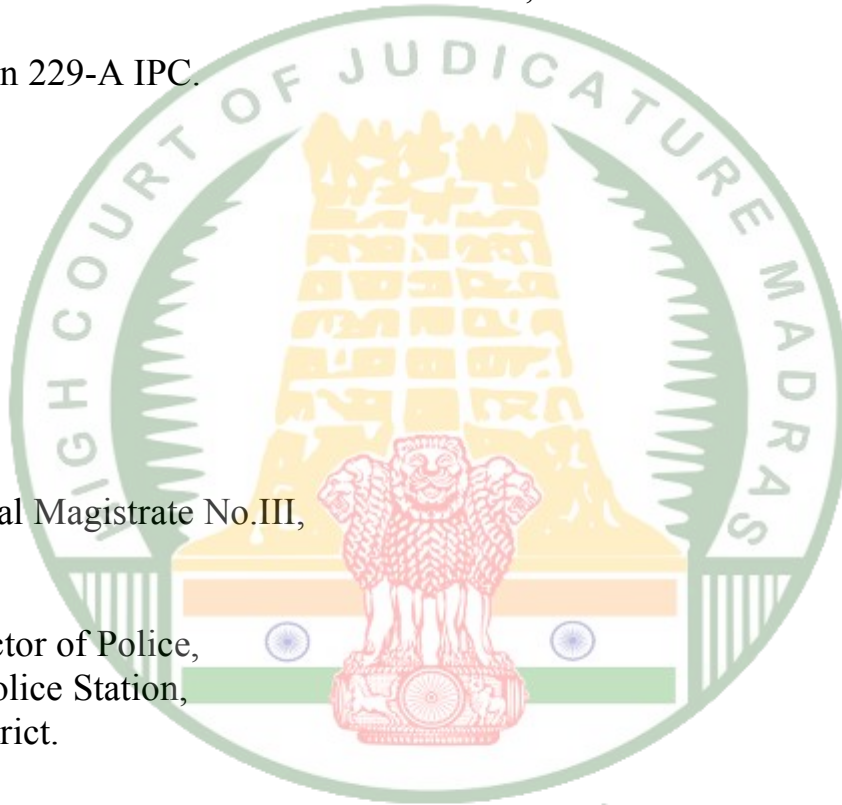
[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

10.06.2020

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To

- 1.The Judicial Magistrate No.III,
Erode.
- 2.The Inspector of Police,
Chitode Police Station,
Erode District.
- 3.The Public Prosecutor,
High Court, Madras.



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