

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.8447 of 2020

Balaji

...Petitioner/A-1

Vs.

State by, Respondent/Complainant

The Sub Inspector of Police,
Vellore North L&O P.S,
Vellore District.
(Crime.No.776 of 2020)

PRAYER: Criminal Original Petitioner has been filed under Section 438 Cr.P.C to enlarge the petitioner on anticipatory bail in the event of arrest by the respondent police in Crime No.776 of 2020 on the file of the respondent police.

For Petitioner : Mr.M.R.Thangavel

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 4 (3) of TNG Act 1930 and 420 of IPC in Crime No.776 of 2020, on the file of the respondent police, seeks anticipatory bail.

2 The case of the prosecution is that the accused persons were involved in illegal betting. There are two accused persons in this case and the petitioner has been arrayed as A1.

3 The learned counsel for the petitioner submitted that the petitioner was arrayed as an accused, based on the confession given by the co-accused. The learned counsel further submitted that the petitioner has nothing to do with the alleged offence.

4 The learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that A1 was arrested and later enlarged on bail. The learned counsel further submitted that there is no previous cases against this petitioner.

5 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate-IV, Vellore, on condition that the petitioner shall execute a separate bond for a sum of Rs.5,000/- (Rupees Five 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 learned Magistrate may obtain a copy of their Aadhar card or band pass book to ensure their identity.

(b) The petitioner shall deposit a sum of Rs.500/- (Rupees Five Hundred Only), directly to Tamil Nadu Advocate Clerk Association, Madras High Court, Chennai (Indian Bank, High Court Branch, A/c.No.484026006, IFSC Code: IDIB000M157).

(c) The petitioner shall report before the respondent police, as and when required for interrogation.

(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 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].

(g) If the accused person thereafter abscond, afresh FIR can be registered under Section 229A IPC.

-sd/-
11/06/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

TO

1 THE JUDICIAL MAGISTRATE,
IV, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
VELLORE NORTH L AND O P.S,
VELLORE DISTRICT.

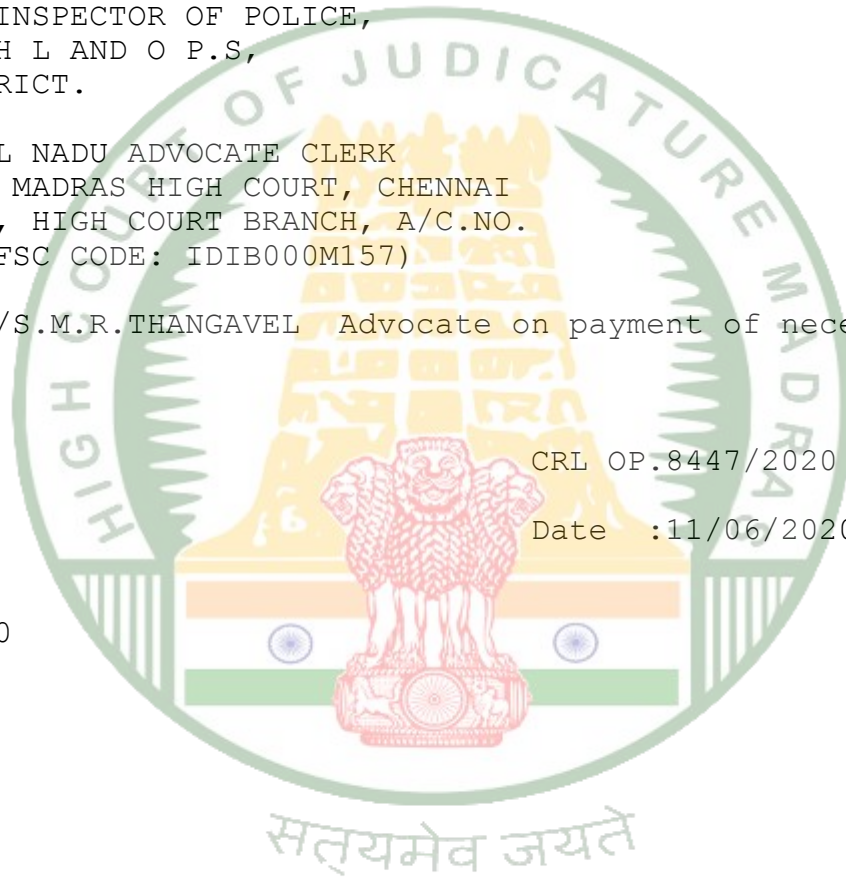
5 THE TAMIL NADU ADVOCATE CLERK
ASSOCIATION, MADRAS HIGH COURT, CHENNAI
(INDIAN BANK, HIGH COURT BRANCH, A/C.NO.
484026006, IFSC CODE: IDIB000M157)

CC to M/S.M.R.THANGAVEL Advocate on payment of necessary
charges

CRL OP.8447/2020

Date :11/06/2020

TA-17/07/2020



WEB COPY