

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.8588 of 2020

Suresh @ Suresh Kumar,
S/o.Kuzhandhaivel,
2/480, II Nagar, Ramapuram,
Veerapandi,
Tiruppur – 641 605.

.. Petitioner

Vs.

State represented by
The Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur District.

..Respondent

Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioner on bail in the event of his arrest in Crime No.745 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.C.S.Saravanan

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

ORDER

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 392 and 397 IPC in Crime No.745 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused persons had robbed a sum of Rs.2,000/- at knife point from the *de facto* complainant.

3. The learned counsel appearing for the petitioner submitted that the petitioner has been ranked as A2 and he has been roped in based on the confession given by A1. He further submitted that a false case has been foisted against the petitioner.

4.The learned Additional Public Prosecutor appearing on behalf of the respondent police submitted that A1 was arrested and based on his

confession, the petitioner was added as A2. The learned counsel further submitted that the petitioner has one previous case, in which, he was convicted since he admitted his guilt.

5.Taking into consideration, the facts and circumstances of the case, this Court is inclined to grant Anticipatory bail to the Petitioner. 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.IV, Tiruppur, on condition that the petitioner shall execute a 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 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 on first working day of every month at 10.30 a.m. until further orders.

[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 thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

12.06.2020

nsd

Index:yes/no

Speaking order/non speaking order

4/6

To

1.The Judicial Magistrate No.IV,
Tiruppur.

2.The Inspector of Police,
Tiruppur Rural Police Station,
Tiruppur District.

3.The Public Prosecutor,
Madras High Court,
Chennai.



WEB COPY

N.ANAND VENKATESH,J.

nsd



Crl.O.P.No.8588 of 2020

WEB COPY

12.06.2020