

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2020

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.OP.No.8972 of 2020

P. Madhan Mohan

.. Petitioner

Vs

State Rep.by
The Inspector of Police,
Gobichettipalayam Police Station,
Erode.
(Crime No.705 of 2019)

.. Respondent

Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.705 of 2019 on the file of the Inspector of Police, Gobichettipalayam Police Station, Erode.

For Petitioner : Mr. Govind Chandrasekar

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

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 302 of IPC in Crime No. 705 of 2019 on the file of the respondent police, seek anticipatory bail.

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

3. It is seen from records that the petitioner was already granted anticipatory bail by this Court in CrI.OP.No.3982 of 2020 by order dated 21.02.2020. The petitioner was not able to surrender within the time fixed by this Court due to circumstances beyond his control. The petitioner was also not in a position to seek for extension of time since the order worked out itself by stating that it will stand automatically dismissed if the petitioner does not surrender within the stipulated time.

6. 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, Gobichettipalayam, on condition that the petitioner shall execute a 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 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 is directed to appear before the respondent daily 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 person thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

18/06/2020

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,
GOBICHETTIPALAYAM

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
<https://hcservices.ecourts.gov.in/hcservices/>
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
GOBICHETTIPALAYAM POLICE STATION,
ERODE.

CC to M/S.GOVIND CHANDRASEKHAR Advocate on payment of
necessary charges

CRL OP.8972/2020

Date :18/06/2020

TA-25/08/2020