

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.8991 of 2020

Madhu

..Petitioner

/vs/

State Rep. by the Inspector of Police,
Mathur Police Station,
Krishnagiri District.

..Respondent

Prayer: Criminal Original Petition filed under Section 438 of the Cr.P.C., to grant Anticipatory Bail to the petitioner in the event of his arrest in Crime No.630/2020 pending on the file of the respondent police.

For petitioner : Mr.E.Kannadasan

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

O R D E R

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of I.P.C. , in Crime No.630 of 2020, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the accused persons indulged in illegally quarrying sand. There are two accused persons in this case and the petitioner has been ranked as A2.

3. The learned counsel for the petitioner submitted that the petitioner has nothing to do with the alleged offence and false case has been foisted against him.

4. The learned Additional Public Prosecutor on instructions submitted that the accused persons by using JCB Machine illegally attempted to quarry the sand. The learned counsel further submitted that there are no previous cases against the petitioners.

5. Taking note of the fact 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 District Munsif cum Judicial Magistrate, Pochampalli, 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 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 deposit a sum of Rs.1,500/- (Rupees one thousand five hundred only) directly to the 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 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].

[g] If the accused persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
19/06/2020

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 DISTRICT MUNSIFF CUM
JUDICIAL MAGISTRATE, POCHAMPALLI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 STATE REP.BY
THE INSPECTOR OF POLICE, MATHUR POLICE
STATION, KRISHNAGIRI DISTRICT.

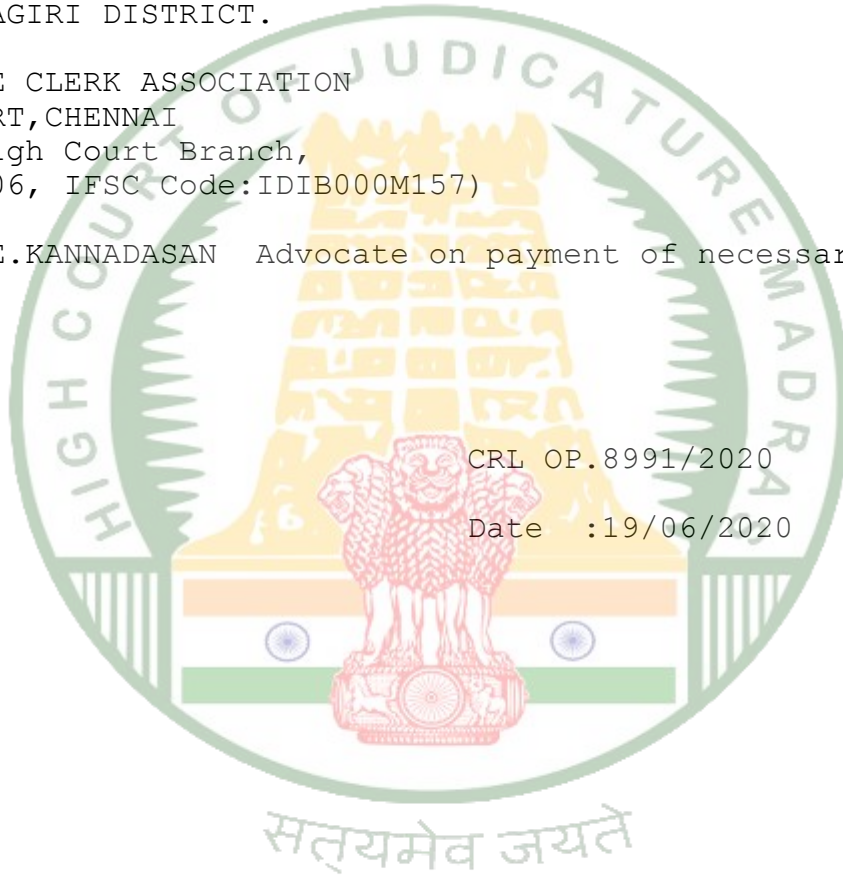
4 THE ADVOCATE CLERK ASSOCIATION
MADRAS HIGH COURT, CHENNAI
(Indian Bank, High Court Branch,
A/c No. 484026006, IFSC Code:IDIB000M157)

CC to M/S.E.KANNADASAN Advocate on payment of necessary
charges

RD 04/08/2020

CRL OP.8991/2020

Date :19/06/2020



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