

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.9086 of 2020

Nagarajan (Age 42)
S/o.Ananda Gopal
No.25, Kavarai Street
Arani
Thiruvallur District.
Vs.

.. Petitioner

State represented by
The Inspector of Police,
Arani Police Station,
Thiruvallur District
Crime No.70 of 2020)

..Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C praying to grant Anticipatory Bail to the petitioner in the event of his arrest or on his appearance before any court in connection with the case in Crime No.70 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Dinesh Kumar

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

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 353, 506(1) of IPC and Section 24(1) of COTPA 2003, in Crime No.70 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons were found in possession of banned Pan Masala packets and Hans totally valued to the tune of Rs.5,03,000/-. There are totally five accused persons in this case and the petitioner is ranked as A2.

3. The learned counsel for appearing for the petitioner would submit that the petitioner is an innocent person and he is in no way connected with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioner.

submitted that all the other accused persons were arrested and the entire banned substances were seized from them. It was further submitted that there are no previous cases against the 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 directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) by way of Demand Draft to the Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai-20 and on such deposit, 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.I, Ponneri, 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.10,000/- (Rupees Ten thousand only) by way of Demand Draft to the Adyar Cancer Institute (WIA), East Canal Bank Road, Adyar, Chennai-20 within a period of four weeks from the date of receipt of copy of this order.

[c] the petitioner shall report before the respondent police every Monday at 10.30 a.m for a period of four weeks and thereafter, 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 thereafter absconds, 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 JUDICIAL MAGISTRATE,
NO.I, PONNERI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
ARANI POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE ADYAR CANCER INSTITUTE[WIA]
EAST CANAL ROAD, ADYAR, CHENNAI-20

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

CRL OP.9086/2020

Date :19/06/2020

RD 04/08/2020

WEB COPY