

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Thirtieth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.5896 of 2021

M.ABDUL RAGUMAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY,
THE INSPECTOR OF POLICE,
BHAVANI POLICE STATION,
ERODE DISTRICT.
CRIME NO.1095 OF 2020.

[RESPONDENT]

For Petitioner : M/S.K.MYILSAMY Advocate

For Respondent : MR.R.ANEESAN Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of IPC in Crime No.1095 of 2020, seeks anticipatory bail.

2. This is the second anticipatory bail petition. The case of the prosecution is that the petitioner has committed theft of a two wheeler of one Rajendran. Hence, the criminal complaint came to be registered.

3. The learned counsel for the petitioner would submit that co-accused in this case has already been released on bail.

4. The learned Government Advocate appearing for the respondent would submit that co-accused in this case was released on bail.

5. Taking note of the facts and circumstances and also considering the fact that co-accused in this case was released on bail, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions :-

(a) The petitioner is ordered to be released on bail in the event of his arrest or his appearance before the learned Judicial Magistrate No.I, Bhavani, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, 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, and on further condition that:

[b] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the respondent/police may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioner shall report before the respondent police as and when required for the 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 thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

8. With the above directions, this Criminal Original Petition is ordered.

-sd/-

30/04/2021

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,
BHAVANI.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

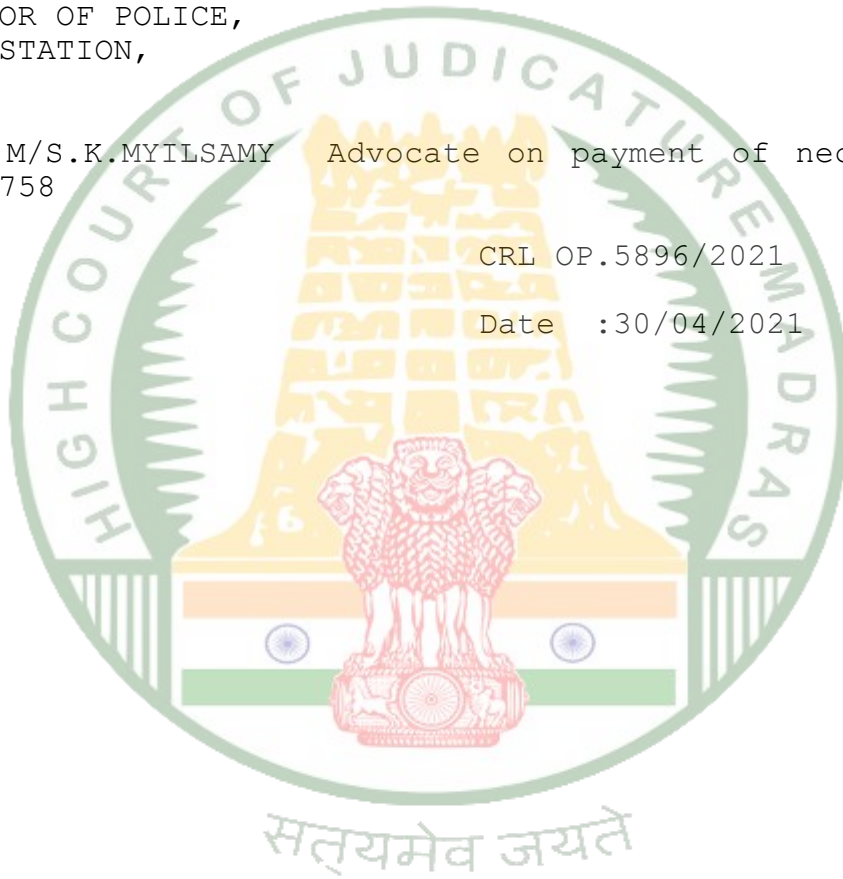
4 THE INSPECTOR OF POLICE,
BHAVANI POLICE STATION,
ERODE DISTRICT.

+1CC to M/S.K.MYILSAMY Advocate on payment of necessary
charges SR NO.5758

CRL OP.5896/2021

Date :30/04/2021

MK:14/06/2021



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