

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2021

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

CrI.O.P.No. 5226 of 2021

Ramesh

... Petitioner

-Vs-

The State

Represented by its,
The Inspector of Police,
T3, Korattur Police Station,
Thiruvallur District.
(Cr.No.152/2021)

.... Respondent

Prayer: Criminal Original petition filed under Section 438 of Code of Criminal Procedure to enlarge the petitioner on bail in the event of their arrest of their arrest in Crime No.152 of 2021 on the file of T-3 Korattur Police Station, Thiruvallur District.

For Petitioners : Mr.D.Magesh

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147,148,341,294(b),323,364 and 506(ii) IPC, in Crime No. 152 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The defacto complainant is working as a Driver with the petitioner, who is doing illegal business. The allegation is that the petitioner refused to pay the salary as promised to the defacto complainant. With the intervention of the co-accused, the defacto complainant was threatened. Hence, a complaint was registered in Crime No. 152 of 2021.

3.Heard the submission of the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor.

4.Learned counsel appearing for the petitioner submitted that the co-accused has been released on bail by this Court in CrI.O.P.No. 4344 of 2021 dated 04.03.2021, and prays for anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and in view of the release of the co-accused has been released on bail, this Court is inclined to grant anticipatory bail to the petitioner with the following conditions:

[a] 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Ambattur, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each 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;

[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;

[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 is 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.

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

WEB COPY

-sd/-

22/03/2021

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,
AMBATTUR

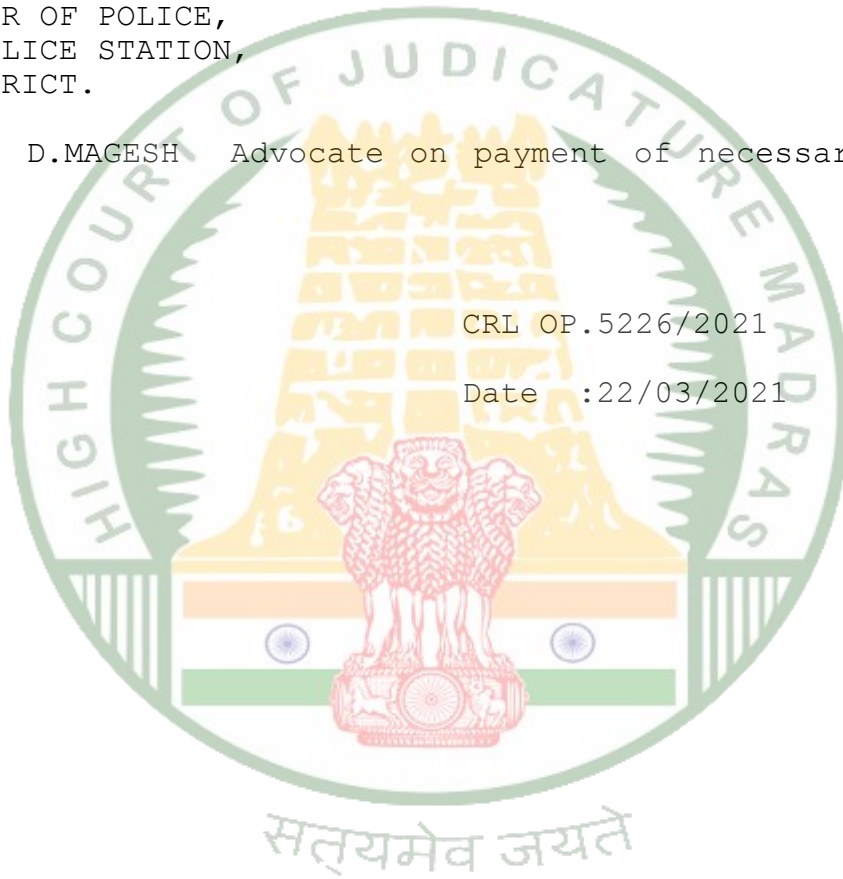
2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR(FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
T-3, KORATTUR POLICE STATION,
THIRUVALLUR DISTRICT.

CC to M/S. D.MAGESH Advocate on payment of necessary charges
SR.NO. 3839

rvr 30/03/2021



CRL OP.5226/2021

Date :22/03/2021

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