



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.5482 of 2021

Ilavarsi @ S.Elavarasi

... Petitioner

Vs.

The State by  
The Inspector of Police,  
Kandili Police Station,  
Thirupathur District.  
(Crime No.49 of 2021)

... Respondent

Prayer:

Petition filed under Section 438 of Cr.P.C., seeking to enlarge the petitioner on bail in the event of arrest in respect of Crime No.49 of 2021 on the file of the Inspector of Police, Kandili Police Station, Thirupathur District.

For Petitioner : Mr.S.Anburaja

For Respondent : Mr.C.E.Pratap  
Government Advocate (Crl. Side)

O R D E R

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 419, 420 and 201 of I.P.C. r/w Section 15 (3) of Medical Council Act, 1956 in Cr.No.49 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that A1 in the case is running a scan center without any valid certificate and this petitioner is working as driver of A1.

3.The learned counsel appearing for the petitioner would submit that the petitioner is only a driver and further submitted that the co-accused in the case has already been enlarged on bail by this Court in Crl.O.P.No.5511 of 2021 on 10.06.2021.

4.Heard the submissions made by the learned Government Advocate (Criminal Side).

5.Considering the fact that the co-accused has already been enlarged on bail by this Court in Crl.O.P.No.5511 of 2021 on 10.06.2021, this Court is inclined to grant anticipatory bail to the petitioner.



6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No-2, Thirupathur, 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-  
17/06/2021

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.2,  
THIRUPATHUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
KANDILI POLICE STATION,  
THIRUPATHUR DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

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

CRL OP.5482/2021

Date :17/06/2021

MK:14/07/2021