

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Eighth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.5679 of 2021

A.SINKETTU @ CHALLAPPAN

[PETITIONER / ACCUSED]

Vs

STATE REP.BY

[RESPONDENT]

THE SUB INSPECTOR OF POLICE,
ETHAPUR POLICE STATION,
ETHAPUR, SALEM DISTRICT.
CR.NO.673 OF 2020.

For Petitioner : M/S.R.MARUDHACHALAMURTHY, Advocate

For Respondent :MR. T.SHUNMUGARAJESWARAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehending arrest at the hands of the respondent police for the alleged offence under Section 420 of IPC, in Crime No.673 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons were involved in the offence of infringing copyright of the defacto complainant cement company and were selling adulterated cement to the public. Hence, the respondent police registered a case against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that co-accused has already been granted anticipatory bail by this Court in Crl.O.P.No.17762 of 2020 dated 24.02.2021. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner along with other accused persons involved in the sale of adulterated cement to the public.

5. Considering the fact that co-accused has already been granted anticipatory bail by this Court in CrI.O.P.No.17762 of 2020 dated 24.02.2021, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions :

6. 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Attur, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) 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 appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

(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 petitioners 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].

WEB COPY

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

-sd/-

28/04/2021

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, ATTUR

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM(FOR INFORMATION)

3 THE SUB INSPECTOR OF POLICE,
ETHAPUR POLICE STATION,
ETHAPUR, SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.R.MARUDHACHALAMURTHY Advocate on payment of necessary charges Sr.5455

CRL OP.5679/2021

Date :28/04/2021

RVR 10/05/2021

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