

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Fifth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.5907 of 2021

1 N.MALAR
2 N.MANODEEBAN
3 M.DIVYA
4 N.SUNDHARAJAN
5 S.KAVIYA

[PETITIONERS / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE (CRIMES)
P3 VYSARPADI POLICE STATION,
VYSARPADI, CHENNAI - 600 039.
REF CR.145 OF 2021.

[RESPONDENT]

For Petitioner : M/S.E.EZHILE CAROLINE Advocate

For Respondent : M/S.S.KARTHIKEYAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest for the alleged offences under Sections 406, 420, 294(b) and 506(ii) of I.P.C in Crime No.145 of 2020

2. The case of the prosecution is that the petitioners and the defacto complainant are relatives. It is alleged that the petitioners have borrowed some gold ornaments from the defacto complainant and failed to return the same and the same was questioned by the defacto complainant, the petitioners said to have abused and attacked the defacto complainant. Hence, the complaint.

3. Heard both sides.

4. Considering the facts and circumstances of the case the fact that the defacto complainant and the petitioners are relatives and there was some money dispute between them, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned II Metropolitan Magistrate, Egmore on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix his 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 petitioners shall report before the respondent Police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 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].

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

With the above directions this criminal original petition is ordered.

-sd/-

25/03/2021

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 NO.II, METROPOLITAN MAGISTRATE
EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

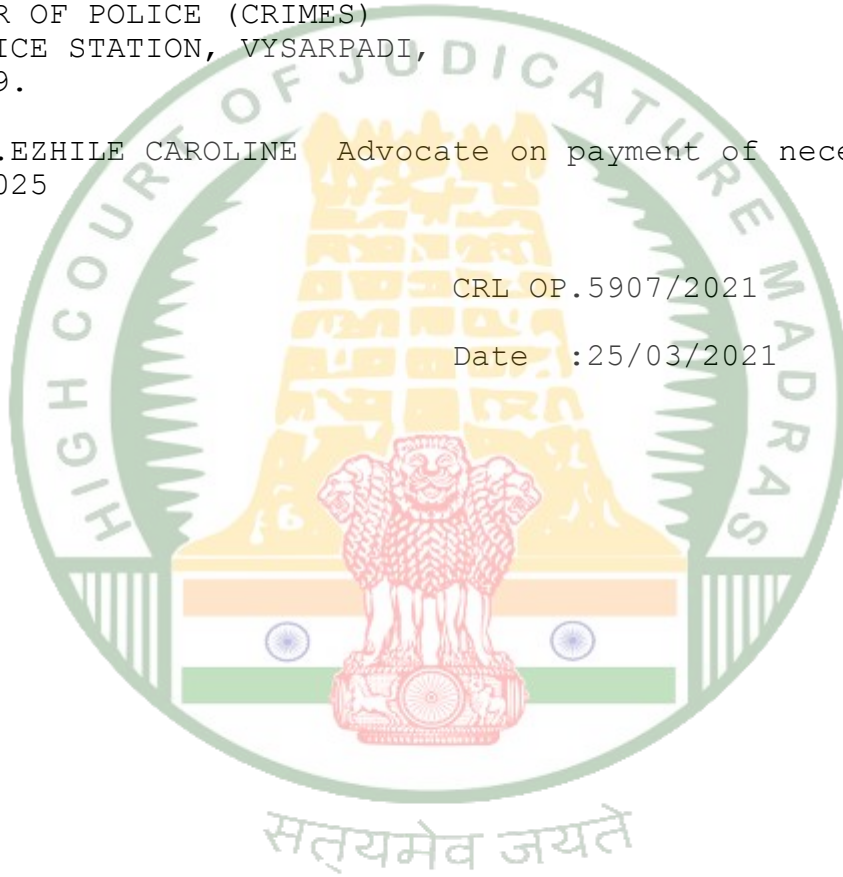
4 THE INSPECTOR OF POLICE (CRIMES)
P3 VYSARPADI POLICE STATION, VYSARPADI,
CHENNAI - 600 039.

CC to M/S.E.EZHILE CAROLINE Advocate on payment of necessary
charges SR.NO. 4025

CRL OP.5907/2021

Date :25/03/2021

rvr 01/04/2021



WEB COPY