

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.6270 of 2021

K.Anandha Kumar ... Petitioner

Vs.

The State represented by
Inspector of Police,
Veppadai Police Station,
Namakkal District,
Tamil Nadu.
Crime No.135 of 2021.

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in the case pending investigation in Crime No.135 of 2021 on the file of the respondent Police.

For Petitioner : Mr.R.Chindan

For Respondent : Ms.M.Prabhavathi

Additional Public Prosecutor

ORDER

The petitioner who was arrested on 06.03.2021 for the offence under Section 399 of I.P.C. in Cr.No.135 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner along with the other accused were preparing to commit dacoity and the public on coming to know about the same secured the petitioner and handed over to the law enforcing agency.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submitted that there is no previous case pending against the petitioner, however, the other accused are absconding.

5.Considering the fact that there is no previous case pending against the petitioner, I am inclined to grant bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Komarapalayam 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 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.

07.04.2021

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Speaking Order/ Non Speaking Order
Index: Yes/ No Internet: Yes/ No

M.DHANDAPANI,J.
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To

- 1.The Inspector of Police,
Veppadai Police Station,
Namakkal District,
Tamil Nadu.
Crime No.135 of 2021.
- 2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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