

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7046 of 2021

BAKKIYARAJ

[PETITIONER / ACCUSED]

Vs

STATE BY:

[RESPONDENT]

INSPECTOR OF POLICE,
R5 VIRUGAMBAKKAM POLICE STATION.
CRIME NO.50 OF 2019.

For Petitioner : M/S. M.G.MATHIVANAN 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 apprehends arrest at the hands of the respondent police for the alleged offence under Sections 379 of IPC in Cr.No.50 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution that the petitioner had snatched the cell phone of the defacto complainant from his car. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he is ready to abide by any of the condition that is to be imposed by this Court.

4.The learned Additional Public Prosecutor submitted that there is a previous case pending against the petitioner in similar nature.

5. Considering the facts and circumstances of the case and the submissions made on either side, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned XXIII, Metropolitan Magistrate, Saidapet, Chennai, 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.

सत्यमेव जयते
-sd/-
16/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

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TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE NO.XXIII,
SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

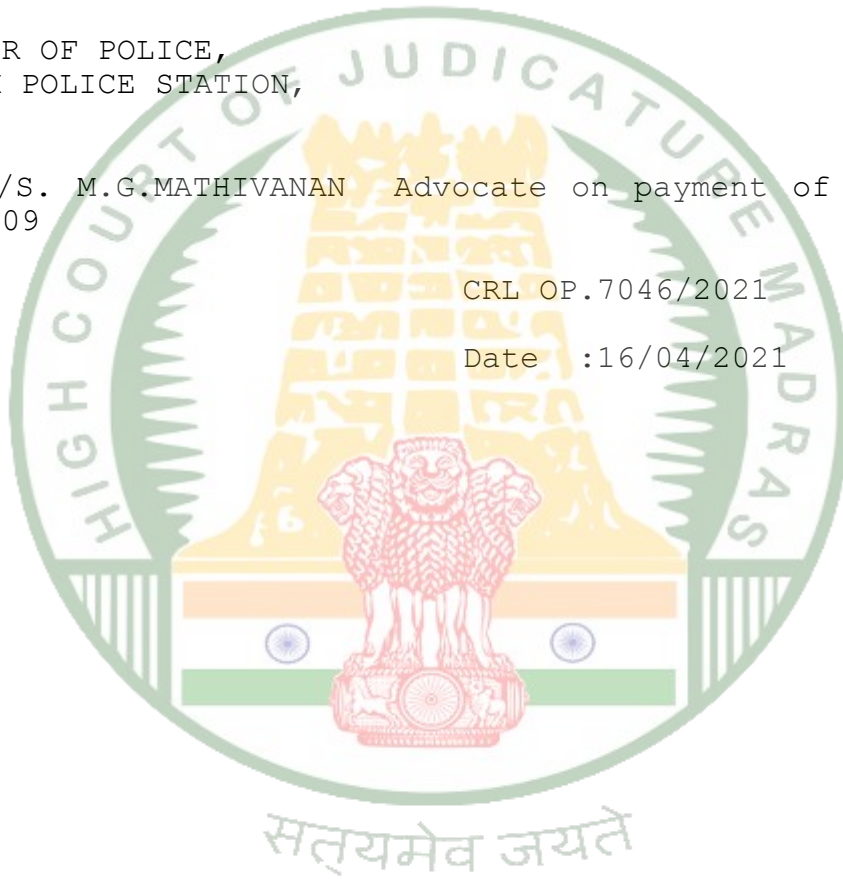
4 THE INSPECTOR OF POLICE,
R5 VIRUGAMBAKKAM POLICE STATION,
CHENNAI.

+2CC to M/S. M.G.MATHIVANAN Advocate on payment of necessary
charges SR NO.5009

CRL OP.7046/2021

Date :16/04/2021

MK:23/04/2021



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