

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Nineteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.7242 of 2021

1 S.MURUGANANTHAM

[ PETITIONERS / ACCUSED ]

2 S.MURALI

3 N.MATHAVAN

4 N.SIVA

Vs

THE INSPECTOR OF POLICE,  
KEEVALUR POLICE STATION,  
NAGAPATTINAM DISTRICT.  
CRIME NO.1765 OF 2020

[ RESPONDENT ]

For Petitioner : M/S.P.MUTHAMIZH SELVAKUMAR 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 petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 417 and 420 of IPC in Cr.No.1765 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is running a pawn broker shop. The petitioners approached the defacto complainant and pledged some jewels. On verification, it is found that they are duplicate jewels. Therefore, he made a complaint against the petitioners to the respondent police. Hence, the present petition has been filed.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. Therefore, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor submitted that the petitioners indulged in fraudulent activities. Therefore, he opposed for grant of bail to the petitioners.

5.Considering the fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 of receipt of a copy of this order, before the learned Judicial Magistrate Court No.I, Nagapattinam, on condition that the petitioners 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of 15 days and thereafter shall report before the respondent police on every Monday at 10.30 a.m., for a period of four weeks and thereafter 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 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]; and;

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

-sd/-

19/04/2021

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 COURT NO.I,  
NAGAPATTINAM.

2 THE CHIEF JUDICIAL MAGISTRATE  
NAGAPATTINAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
KEEVALUR POLICE STATION,  
NAGAPATTINAM DISTRICT.

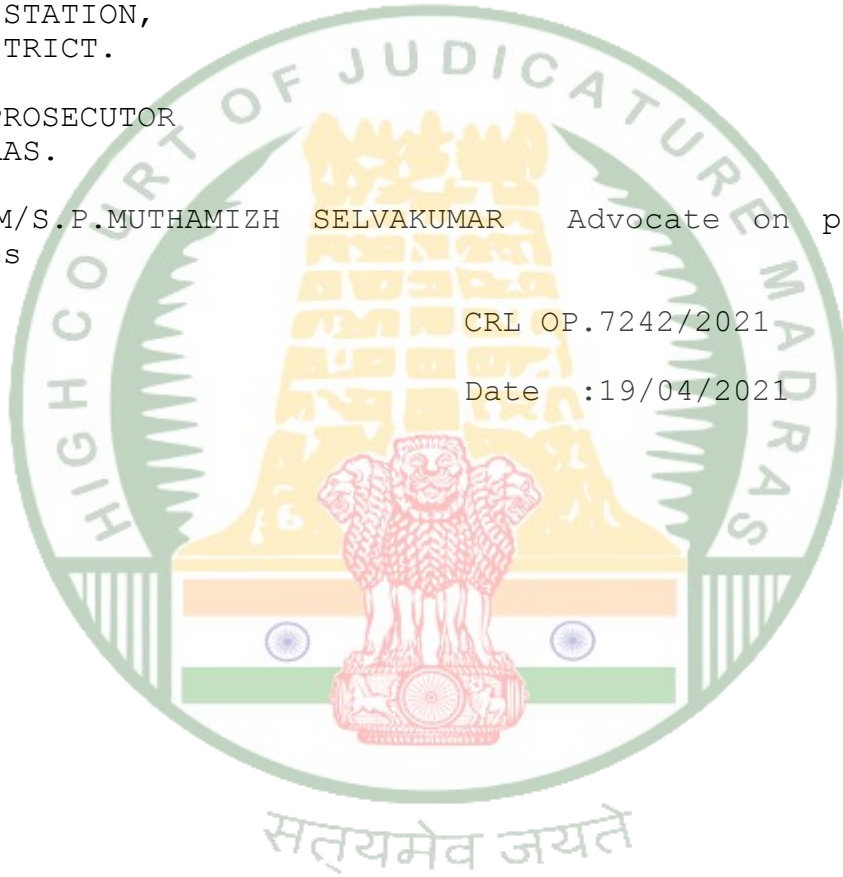
4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S.P.MUTHAMIZH SELVAKUMAR Advocate on payment of  
necessary charges

CRL OP.7242/2021

Date :19/04/2021

MK:28/06/2021



WEB COPY