

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Twenty Third day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice V.BHAVANI SUBBAROYAN

CRIMINAL ORIGINAL PETITION No.7611 of 2021

R.RAGUNATH

[ PETITIONER / ACCUSED ]

Vs

STATE REP.BY

[ RESPONDENT ]

INSPECTOR OF POLICE,  
NADUVEERAPATTU POLICE STATION,  
CUDDALORE DISTRICT.  
CRIME NO.45/2021.

For Petitioner : M/S. K.RAVEENDRAN Advocate

For Respondent :MR. T.SHUNMUGARAJESWARAN, Govt. Advocate ( CrI. 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 and 511 of IPC in Crime No.45 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on the date of occurrence, the petitioner and two others stolen an inverter and a welding machine which belongs to SLR Energy and Gas Company, Kuzhandhai Kuppam. Cuddalore District. The Security of the Company made an alarming sound, and the employees of the company gathered there. On seeing them, the petitioner and two others left the stolen goods in the spot and escaped from the scene of occurrence. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that co-accused released on anticipatory bail in CrI.MP.No.1789 of 2021 on 17.03.2021. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that the petitioner and two others stolen an inverter and a welding machine which belongs to SLR Energy and Gas Company, Kuzhandhai Kuppam. Cuddalore District. The Security of the Company made an alarming sound, and the employees of the company gathered there. On seeing them, the petitioner and two others left the stolen goods in the spot and escaped from the scene of occurrence. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering facts and circumstances of the case and the similarly placed accused has been released on bail, 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 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, Cuddalore on condition that each of the petitioner shall execute a separate 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 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 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.

-sd/-

23/04/2021

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, CUDDALORE

2 THE CHIEF JUDICIAL MAGISTRATE  
CUDDALORE (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 INSPECTOR OF POLICE,  
NADUVEERAPATTU POLICE STATION,  
CUDDALORE DISTRICT.

CC to M/S. K.RAVEENDRAN Advocate on payment of necessary charges Sr.5301

CRL OP.7611/2021

सत्यमेव जयते Date :23/04/2021

RVR 30/04/2021

WEB COPY