

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2021

CORAM

THE HON'BLE MRS. JUSTICE R.SUBRAMANIAN

Crl.O.P.No.8305 of 2021

Govinthan

... Petitioner

Vs.

The State Rep. By:-

The Inspector of Police,
Tiruvonnainallur Police Station,
Villupuram District.
(Crime No.315 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest
in Crime No.315 of 2021 on the file of the respondent police.

For Petitioner : Mr.T.K.Saravanan

For Respondent : Mr.L.Baskaran
Govt. Advocate (Crl.Side)

O R D E R

The petitioner, who apprehends arrest pursuant to the First
Information Report registered against him in Crime No.315 of 2021
under Sections 379 and 430 IPC, seeks anticipatory bail.

2. The case against the petitioner is that he was found in
possession of $\frac{1}{4}$ unit of sand in a bullock cart. The bullock cart has
been seized.

3. Considering the nature of the offence and the quantum of sand
involved, I am of the opinion that the petitioner could be granted
anticipatory bail. Accordingly, this Criminal Original Petition is
allowed and the petitioner is ordered to be released on bail in the
event of arrest or on his appearance before the learned Judicial
Magistrate No.II, Ulundurpet, within 15 days from the date of
resumption of regular hearings in the said Court, subject to the
following conditions:

[a] The petitioner shall execute a bond for a sum of Rs.5,000/-
(Rupees Five 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, failing which, the petition for anticipatory bail shall stand dismissed;

[b] the petitioner and 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;

[c] the petitioner shall report before the respondent police as and when required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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];

[g] if the accused persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

4. Considering the present situation, the petitioner is granted 15 days time to execute the bond and furnish sureties from the date of commencement of regular functioning of the court below. In the event of violation of any of the conditions, the anticipatory bail granted will stand automatically cancelled.

-sd/-

02/06/2021

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

TRUE COPY

WEB COPY

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

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, ULUNDURPET

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
TIRUVENNAINALLUR POLICE STATION,
VILLUPURAM DISTRICT.

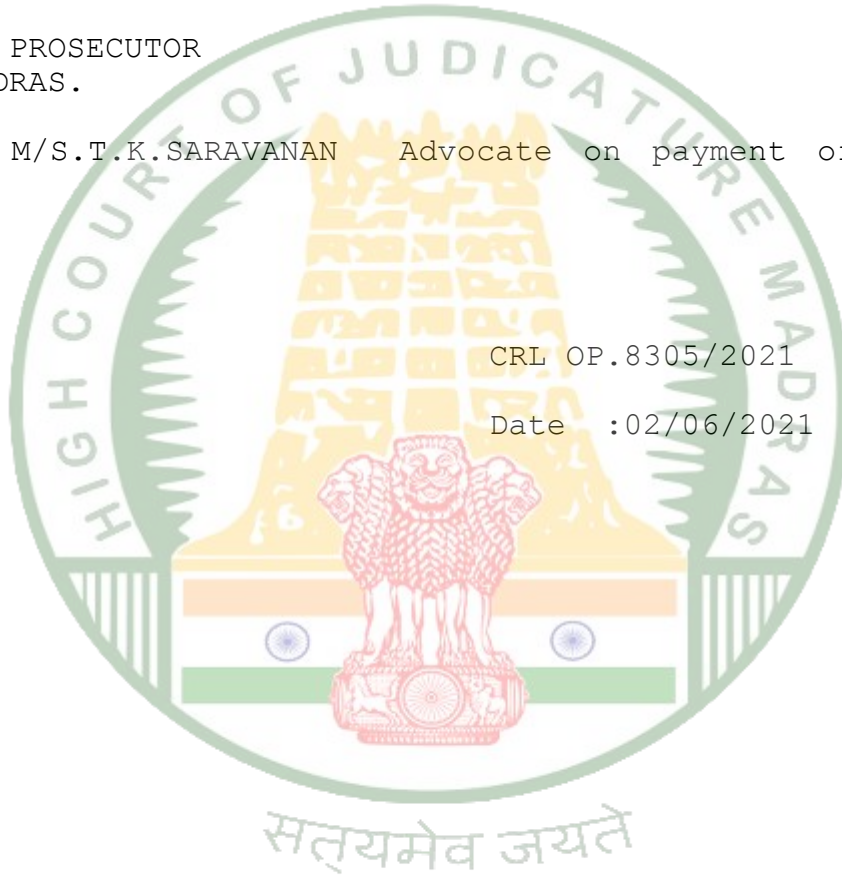
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.T.K.SARAVANAN Advocate on payment of necessary
charges

CRL OP.8305/2021

Date :02/06/2021

RVR 18/06/2021



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