

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.05.2021

CORAM

THE HONOURABLE MRS. JUSTICE S.KANNAMMAL

Crl.O.P.No.8866 of 2021

T.Sasikumar

.. Petitioner

Vs.

The State rep. by
The Inspector of Police
E-3 Minjur Police Station,
Thiruvallur District

.. Respondent

Prayer: Criminal Original Petition filed under Section 438 of Criminal Procedure Code, praying to enlarge the petitioner on bail in the event of his arrest in Crime No.Not Known of 2021 on the file of the respondent police.

For Petitioner : Mr.D.Gopinathan

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offences under Sections 294(b), 420 and 506(ii) IPC 1959, in Crime No.Not Known of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the tenant under the de-facto complainant. The allegation is that with an intention to grab the property of the de-facto complainant, the petitioner had illegally printed his name in the electricity service card, without the knowledge of the de-facto complainant,

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that the petitioner did not print his name in the electricity card and the TNEB officials had only mistakenly printed the name of the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that initially the case was pending at the stage of enquiry and now, the case has been registered in Crime No.232 of 2021. He opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 on which the order copy made ready, before the learned Judicial Magistrate No.II, Ponneri, 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, failing which this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix his 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 for a period of 30 days 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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
13/05/2021

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.II, PONNERI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
E3, MINJUR POLICE STATION,
THIRUVALLUR DISTRICT.

+1 CC to M/S. D.GOPINATHAN Advocate on payment of necessary charges
SR.No.6200

CRL OP.8866/2021

Date :13/05/2021

cs 27/05/2021

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