

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.05.2021

CORAM :

THE HON'BLE MRS. JUSTICE S.KANNAMMAL

CrI.O.P.No.9008 of 2021

Janakiraman

... Petitioner

Vs.

State Rep. by
Inspector of Police,
Ranipet Police Station,
Ranipet District.
(Crime No.97 of 2021)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Criminal Procedure Code to enlarge the petitioner on bail in the event of arrest in Crime No.97 of 2021 on the file of respondent police.

For Petitioner : Mr.S.P. Arthi

For Respondent : Mr. T. Shunmugarajeswaran
Government Advocate

O R D E R

(The case has been heard through video conference)

The petitioner, who apprehends arrest for the alleged offences under Sections 341,294(b) of I.P.C and 3(1) of PPD Act, 1984 in Crime No.97 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had broken the windshield of a Government bus and caused damages worth about Rs.3,000/- and abused the driver of the bus with filthy language. Hence the complaint.

3. The learned counsel appearing for petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioners, without prejudice to their defence and contentions, the petitioner is ready to deposit Rs.2,000/- to the credit of the above Crime No. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate(Crl side) appearing for the respondent would submit that the petitioner had broken the windshield of a Government bus and caused damages worth about Rs.3,000/- and abused the driver of the bus with filthy language. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the fact that the petitioner is ready and willing to deposit Rs.2,000/- to the credit of the Crime No.97 of 2021 this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions

6. Accordingly, the petitioner is directed to deposit a sum of Rs.2,000/- (Rupees two Thousand Only) to the credit of crime No.97 of 2021 within a period of fifteen days from the date on which the copy of the order is made ready. On such deposit, the petitioner is ordered to be released on bail, in the event of arrest or on their appearance, before the Judicial Magistrate, Ranipet, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 Judicial Magistrate concerned, failing which, the 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 deposit a sum of Rs.2,000/- to the credit of Crime No.97 of 2021 before the learned Magistrate.

[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 thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

12/05/2021

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,
RANIPET

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 INSPECTOR OF POLICE,
RANIPET POLICE STATION,
RANIPET DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.9008/2021

Date : 12/05/2021

RVR 01/07/2021

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