

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.06.2021

CORAM :

THE HON'BLE Mr.JUSTICE R.SUBRAMANIAN

Crl.O.P.No.9808 of 2021

K.Natarajan

... Petitioner

Vs.

State rep. By

The Inspector of Police,
Orathur Police Station,
Orathur.

Crime No.125 of 2021.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 438 of Cr.P.C., to enlarge the petitioner on bail in the event of arrest by the respondent police in connection with the Crime No.125 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.R.Sreedhar

For Respondent : Mr.L.Baskaran

Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest in respect of Crime No.125 of 2021 registered against him under Sections 379 & 430 IPC by the respondent police, seeks anticipatory bail.

2.The case against the petitioner is that the petitioner was found transporting sand in two bags in two wheeler bearing registration No.TN 91 F 2111.

3.Considering the nature of the offence and the quantity of the sand involved, I am of the considered opinion that the petitioner should be granted Anticipatory Bail subject to certain conditions. 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 resumption of regular court hearings at Chidambaram, before the learned Judicial Magistrate No.II, Chidambaram, 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 thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

4. With the above directions, anticipatory bail is granted and this Criminal Original Petition is ordered.

-sd/-

03/06/2021

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, CHIDAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ORATHUR POLICE STATION,
ORATHUR.

+1 CC to M/S R.SREEDHAR Advocate on payment of necessary charges
SR.No.6359

cs 22/06/2021



CRL OP.9808/2021

Date :03/06/2021

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