

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2021

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

Crl.O.P.No.10103 of 2021

Sridhar

... Petitioner

Vs.

State rep. by

The Inspector of Police,
Kullanchavadi Police Station,
Cuddalore District.
(Crime No. 159 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.159 of 2021 pending investigation on the file of the
respondent police.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.side)

O R D E R

(The case has been heard through video conference)

The petitioner who apprehends arrest by the respondent Police for
the alleged offences punishable under Sections 4(1)(aaa), 4(1-A),
4(1)(g), 14A of TN Prohibition Act and Sections 328, 465, 468, 471 of
IPC, in Crime No.159 of 2021 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the 9th
accused in Crime No.159 of 2021. According to the prosecution, 360
litres of Sanitizer was supplied by the petitioner to the remaining
accused under fake bill.

3. However, it is the case of the petitioner that he is an
innocent person and no way connected with the commission of the
alleged offence. According to the petitioner, he is no way responsible
as he is only a Pharmacy Owner selling Pharmaceutical items.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner has submitted a fake bill to show that he has supplied 350 litres of Sanitizer to the remaining accused.

5. The learned counsel for the petitioner would also submit that the co-accused namely R.Rajesh Kumar has been granted anticipatory bail by this Court by order dated 26.05.2021 in Crl.O.P.No.9596 of 2021.

6. After giving due consideration to the aforementioned factors, this Court is inclined to grant anticipatory bail to the petitioner subject to the fulfilment of certain conditions.

7. 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 lifting of lock down or the commencement of Courts normal functioning whichever is earlier, before the District Munsif cum Judicial Magistrate, Kurinjipadi 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, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand Only) to the Chief Medical Officer, District Head Quarters Hospital (GH), Cuddalore, towards Covid-19 relief. The said amount shall be paid by way of Demand Draft (DD) or National Electronic Funds Transfer (NEFT) and the Court below is directed to entertain the bail bond only on production of proof for payment of the said sum;

[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/s, a fresh FIR can be registered under Section 229A IPC.

-sd/-

11/06/2021

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KURINJIPADI.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KULLANCHAVADI POLICE STATION,
CUDDALORE DISTRICT.

5 THE CHIEF MEDICAL OFFICER,
DISTRICT HEAD QUARTERS HOSPITAL (GH),
CUDDALORE, TOWARDS COVID-19 RELIEF.

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

CRL OP.10103/2021

Date :11/06/2021

cs 09/07/2021