

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.10317 of 2021

Selvan

... Petitioner

Vs.

State represented by its,
Inspector of Police,
Moolanur Police Station,
Tiruppur District.
(Crime No.126 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 438 of Cr.P.C, prayed to enlarge the petitioner on bail in Crime No.126 of 2021 in the event of arrest on the file of the respondent Police Station.

For Petitioner : Mr.A. Madhumathi

For Respondent : Mr.A. Gopinath
Government Advocate

ORDER

The petitioner apprehends arrest at the hands of the respondent police for the alleged offence under 147, 148, 448, 294(b), 506(ii) and 120(B) of IPC and Section 3(1) and 4 of TNPPDL Act of IPC in Crime No.126 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners damaged the defacto complainant's property and also attacked the defacto complainant with iron rod and caused injuries to him. Hence the law enforcing agency registered the case against the petitioner.

3.The learned counsel appearing for the petitioner is an practising advocate and as he entered appearance for one of the co-accused in this case, he has has implicated in this case. Hence he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent would submit that this Court has granted anticipatory bail to the co-accused persons in CrI. O.P.No.9420 of 2021 dated 20.05.2021.

5.Considering the fact that the co-accused have been granted anticipatory bail in Crl. O.P.No.9420 of 2021 dated 20.05.2021, this Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the learned Judicial Magistrate, Dharapuram 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 and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 two weeks 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 petitioners 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

15/06/2021

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,
DHARAPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
MOOLANUR POLICE STATION,
TIRUPPUR DISTRICT.

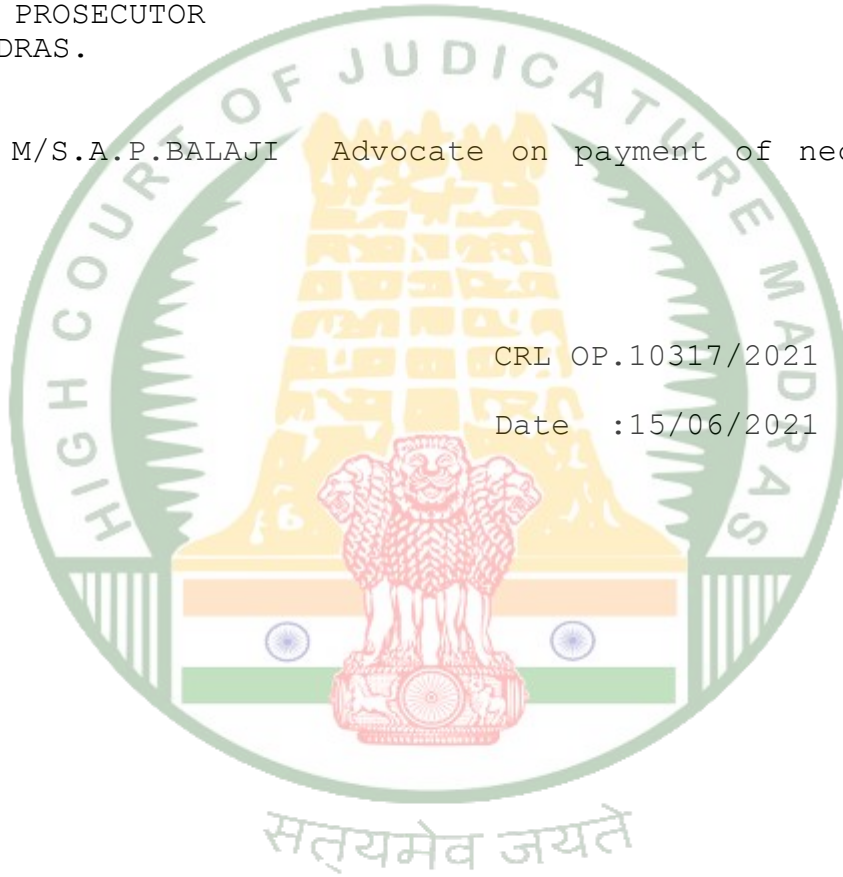
4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.A.P.BALAJI Advocate on payment of necessary charges
SR.NO. 6508

CRL OP.10317/2021

Date :15/06/2021

MN-07/07/2021



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