



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of August Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.14016 of 2021

KANNAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY ITS

[RESPONDENT]

THE INSPECTOR OF POLICE,
KARUMALAIKODAL POLICE STATION,
SALEM DISTRICT.
CRIME NO.115 OF 2021

For Petitioner : M/S.M.SENTHILKUMAR Advocate

For Respondent : MR.C.E.PRATAP Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 399 of IPC, in Crime No.115 of 2021, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons appear to have planned to commit dacoity to the General public. Hence, the complaint.

3.The learned counsel appearing for the petitioner submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side).appearing for the respondent submitted that on earlier occasion it was recorded inadvertently that the petitioner faced two previous cases. However, on verification, it was found that the petitioner has no previous case.

5.Considering the said submission of the learned Government Advocate (Crl.Side), 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 No.II, Mettur, Salem District,, 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., until further orders.

(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]; and;

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

-sd/-
11/08/2021

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,
METTUR, SALEM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
KARUMALAIKODAL POLICE STATION,
SALEM DISTRICT.

+1CC to M/S.M.SENTHILKUMAR Advocate on payment of necessary
charges SR NO.8528

CRL OP.14016/2021

Date :11/08/2021

MK:25/08/2021