



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Thirty First day of August Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15630 of 2021

VINOTH KUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
VILLIVAKKAM R.P.F., CHENNAI.
CR.NO.217/2021.

[RESPONDENT]

For Petitioner : M/S. ILAYARAJA KANDASAMY Advocate

For Respondent : Mr.C.E.Pratap Government 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 143 (1a) of Indian Railway Act-1989 in Crime. No.217 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was running train ticket and all other E-Service booking centre and he has booked a train ticket for the first accused without valid licence from the Railway Department. Hence, the Railway department lodged the complaint against the petitioner.

3.The learned counsel appearing for the petitioner submit that the petitioner has no knowledge about the alleged offence and and he has been falsely implicated in this case. He further submits that the petitioner, without prejudice to his rights, is ready to abide any condition imposed by this Honourable court. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that the petitioner has booked train tickets for A1 without license from the Railway department and also Accused-1 was arrested and remanded to Judicial Custody and got released on Bail on the same day. He vehemently oppose to grant anticipatory bail.



5. Considering the facts and circumstances of the case and the submissions made on either side, I am inclined to grant anticipatory bail to the petitioner on certain conditions.

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 Special Metropolitan Magistrate Railway Court, Allikulam, Chennai, 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) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(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 petitioners 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;

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

-sd/-

31/08/2021

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 SPECIAL METROPOLITAN
MAGISTRATE RAILWAY COURT, ALLIKULAM,
CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE,
CHENNAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
VILLIVAKKAM R.P.F.,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. ILAYARAJA KANDASAMY Advocate on payment of necessary
charges Sr.9367

CRL OP.15630/2021

Date :31/08/2021

RVR 13/09/2021