



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

Wednesday, the Twenty Fifth day of August Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15226 of 2021

S.MUTHUKUMAR

[ PETITIONER / ACCUSED ]

Vs

STATE REPBY  
THE INSPECTOR OF POLICE,  
VADUVUR POLICE STATION,  
THIRUVARUR DISTRICT  
CrIME NO.455/2021

[ RESPONDENT ]

For Petitioner : M/S.S.VENKATESAN Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate ( CrI. 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 offences under Sections 448, 379 and 380 of IPC in Crime No.455 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that one Manoharan, who is the son of one Chakrapani had purchased an Innova car bearing Registration No.TN-49-BD-3435 and the same was stands in the name of the deceased Chakrapani. After the death of the deceased Chakrapani, the vehicle was stolen by one Muthukumar/Al and others. It is further alleged that the accused have committed theft of three sovereigns of gold chain and one sovereign ring belonging to the deceased and also had break open the temple which was built by the deceased and stolen the jewels. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that one Manoharan, who is the resident of Singalore had purchased a car in the name of his father viz., Chakrapani and after the death of the Chakrapani, the vehicle was taken by the petitioner, who is the brother's son of the deceased. Hence, he prays for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl. Side) would submit that in this case, investigation is pending and hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also the submissions made by both side counsels, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 Judicial Magistrate No.I, Mannargudi, Thiruvarur 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 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 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

WEB COPY

-sd/-  
25/08/2021

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.I, MANNARGUDI.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVARUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,  
VADUVUR POLICE STATION,  
THIRUVARUR DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S.S.VENKATESAN Advocate on payment of necessary charges SR.NO. 9139

CRL OP.15226/2021

Date :25/08/2021

JPA 31/08/2021