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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Third day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15883 of 2021

RAJAKILI @ PRAVEEN KUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
AMBUR TOWN POLICE STATION,
THIRUPATTUR DISTRICT
(CRIME NO.1933 OF 2020)

[RESPONDENT]

For Petitioner : M/S M.RAJENDIRAN Advocate

For Respondent : MR.A.GOPINATH, 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 for the alleged offence punishable under Sections 294(b), 506(ii), 341,392, 365 and 354 of IPC in Crime No.1933 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused has ill-treated a women in the public place, the same was questioned by the defacto complainant, due to which, the petitioner had abused the defacto complainant and assaulted him at knife point and threatened him with dire consequences and also snatched Rs.3,000/- and 2 cell phones . Hence, the complaint.



3.The learned counsel appearing for the petitioner submits 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.

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4. The learned Government Advocate (Crl.Side) submits that the stolen property has been recovered. He further submits there is no previous case against the petitioner.

5.Considering the fact that the stolen property has been recovered, 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 Additional District Munsif-Cum-Judicial Magistrate, Ambur 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.

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-sd/-
03/09/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
AMBUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
AMBUR TOWN POLICE STATION,
THIRUPATTU DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S M.RAJENDIRAN Advocate on payment of necessary charges SR.NO.9621

CRL OP.15883/2021

Date :03/09/2021

JPA 24/09/2021