



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.15981 of 2021

1 ANANDARAJ
2 SELVAKUMAR

[PETITIONERS / ACCUSED]

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
NEYVELI THERMAL POLICE STATION,
CUDDALORE DISTRICT.
(CRIME NO.276 OF 2021)

[RESPONDENT]

For Petitioners : M/S. T.GNANA BANU Advocate

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

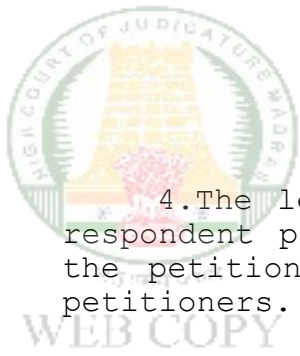
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Section 379 of IPC in Crime No.276 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused persons theft Copper cables of worth about Rs.19,193/- from Neyveli Thermal Area. Thereafter, the defacto complainant lodged complaint and the respondent police registered a case against the petitioners and other accused.

3.The learned counsel appearing for the petitioners submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) submitted that the respondent police has recovered the said alleged Copper Cables from the petitioners and there is no previous case pending against the petitioners.

5. Considering the facts and circumstances of the case and also the case property has been recovered by the respondent police, I am inclined to grant anticipatory bail to the petitioners on certain conditions.

6. Accordingly, the petitioners are 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 District Munsif cum Judicial Magistrate, Neyveli, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners 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/-

03/09/2021

WEB COPY

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, NEYVELI.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
NEYVELI THERMAL POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. T.GNANA BANU Advocate on payment of necessary charges SR.NO. 9550

CRL OP.15981/2021

Date :03/09/2021

JPA 14/09/2021