



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Seventeenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.16844 of 2021

SUBASHCHANDRA BOSE

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
NEYVELI TOWNSHIP POLICE STATION,
CUDDALORE DISTRICT
(CRIME NO.215 OF 2021)

For Petitioner : M/S K.KARUPPAIYAMOOPPANAR Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

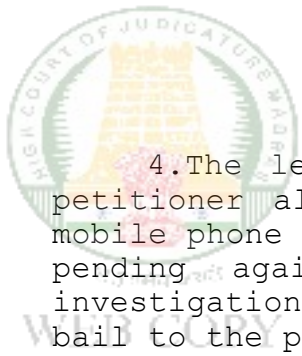
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner who apprehends arrest for the alleged offence under Sections 147, 294(b), 323, 379, 506(ii) of IPC in Cr.No.215 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant had a pig farm, where the petitioner along with other persons attempted to stole a pig. When that was questioned by the defacto complainant, there arose wordy quarrel, in which the petitioner attacked the defacto complainant and stolen a pig and snatched his mobile phone. Thereby, the defacto complainant lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl. side) submits that the petitioner along with other persons stolen a pig and snatched the mobile phone of the defacto complainant and there is one previous case pending against the petitioner. He further submits that the investigation is pending. Hence, he opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by 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 anticipatory 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 - Neyveli, Cuddalore 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 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 anticipatory 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/-
17/09/2021

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,
NEYVELI, CUDDALORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
NEYVELI TOWNSHIP POLICE STATION,
CUDDALORE DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S K.KARUPPAIYAMOOPPANAR Advocate on payment of
necessary charges SR.NO.10390

CRL OP.16844/2021

Date :17/09/2021

JPA 30/09/2021