



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

Friday, the Seventeenth day of September Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI  
CRIMINAL ORIGINAL PETITION No.16985 of 2021

P.RANJITH

[ PETITIONER / ACCUSED ]

Vs

THE INSPECTOR OF POLICE,  
KARIPATTY POLICE STATION,  
SALEM DISTRICT.  
CR. NO.299/2021

[ RESPONDENT ]

For Petitioner : M/S. KARAN AND UDAY Advocate

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

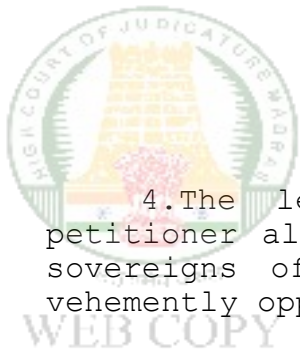
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest for the alleged offence under Sections 294(b), 323, 324, 363, 394, 506(ii) of IPC in Cr.No.299 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused persons purchased fruits from the shop of defacto complainant and refused to pay the amount. When the same was questioned by the defact complainant, petitioner attacked and snatched 1½ sovereigns of gold chain. Hence, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and submits that the co-accused had already enlarged on bail by this Court in Crl.O.P.No.16483 of 2021 dated 15.09.2021. However, on instructions, the learned counsel further submitted that the petitioner, on his own volition, is ready and willing to contribute a sum of Rs.25,000/- for the purpose of improving and maintaining Adi Dravidar Welfare Schools.



4.The learned Government Advocate (Crl.Side) submitted that petitioner along with other accused persons attacked and snatched 1½ sovereigns of gold chain from the defacto complainant. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner that he is ready to deposit a sum of Rs.25,000/- on his own volition, for the welfare of Adi Dravidar Welfare Schools, 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 District Munsif Cum Judicial Magistrate, Vazhapady, Salem 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)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 petitioner shall make a non-refundable deposit of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the Adi Dravidar Welfare Officer, Adi Dravidar and Tribal Welfare Office, Salem for the rehabilitation and improvement of the basic needs of the Adi Dravidar Welfare Schools in the said District under necessary acknowledgement, without prejudice to his defence before the trial Court and submit the proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the challan/receipt/acknowledgement, shall accept the sureties furnished by the petitioner;

(c)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;

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

(e)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f)the petitioner shall not abscond either during investigation or trial;



(g) 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;

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

7. In the result, this Criminal Original Petition is ordered and the Adi Dravidar Welfare Officer shall submit the necessary proof with regard to the expenditure incurred for the improvement/rehabilitation of the Adi Dravidar Welfare Schools in the District before the Director of School Education as and when such works are completed by utilising the money as ordered by this Court.

-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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,  
VAZHAPADY, SALEM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,  
SALEM DISTRICT (FOR INFORMATION) .

3 THE INSPECTOR OF POLICE,  
KARIPATTY POLICE STATION,  
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR,  
HIGH COURT, MADRAS.



COPY TO  
THE ADI DRAVIDAR WELFARE OFFICER,  
ADI DRAVIDAR AND TRIBAL WELFARE OFFICE,  
SALEM.

+1 CC to M/S. KARAN AND UDAY Advocate on payment of necessary  
charges SR.NO.10229

CRL OP.16985/2021

Date :17/09/2021

INBA 28/09/2021