

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Nineteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.19316 of 2020

R.MANIKANDAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
BAGAYAM POLICE STATION,
VELLORE DISTRICT.
(CR.NO.698/2020 DATED 16.06.2020)

[RESPONDENT]

For Petitioner : M/S.J.PRAKASAM Advocate

For Respondent : M/S R.ANEESAN, 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 at the hands of the respondent Police for the alleged offences punishable under Sections 4 (3) of TN Gaming Act, 1930 and 420 of IPC on the file of the respondent police, seeks anticipatory bail.

2. It is seen that this Court already granted anticipatory bail to the petitioner by order dated 02.07.2020 on following conditions:

"6.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non refundable deposit to the credit of the Chief Minister Public Relief Fund, Tamil Nadu within a period of fifteen days from the date on which the order made ready and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Vellore, 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, failing which the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of the Aadhar card or Bank pass Book to ensure the identity.

[b] the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Chief Minister Public Relief Fund, Tamil Nadu, and shall produce the said receipt before the court below

[c] 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.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner 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 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

3. However, the petitioner failed to deposit the sum of Rs.10,000/- to the credit of the Chief Minister Public Relief Fund, Tamil Nadu as directed by this Court due to Covid-19 pandemic circumstances.

4. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail on the above same conditions. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non refundable deposit to the credit of the Chief Minister Public Relief Fund, Tamil Nadu within a period of fifteen days from the date on which the order made ready and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Vellore, 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, failing which the petition for anticipatory bail shall stand dismissed and on further condition that:

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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
19/04/2021

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

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

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, VELLORE

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

WEB COPY

3 THE INSPECTOR OF POLICE,
BAGAYAM POLICE STATION,
VELLORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

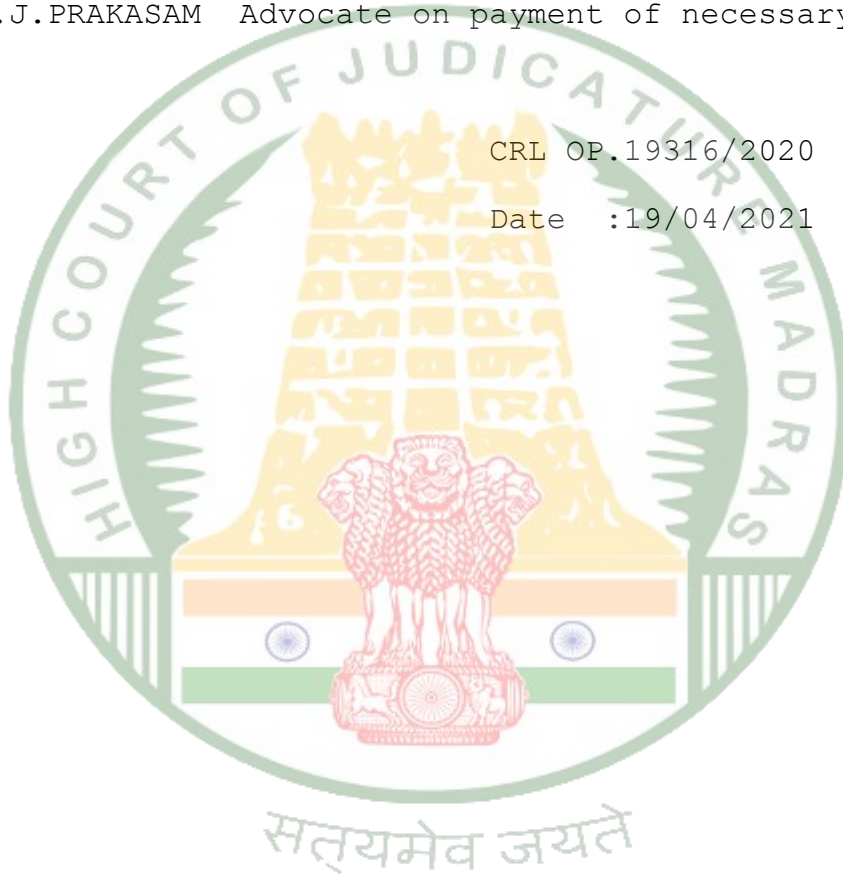
5 THE OFFICER INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND,
TAMIL NADU

CC to M/S.J.PRAKASAM Advocate on payment of necessary charges
Sr.5168

CRL OP.19316/2020

Date :19/04/2021

RVR 30/04/2021



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