



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

Friday, the Eighth day of October Two Thousand Twenty One

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI
CRIMINAL ORIGINAL PETITION No.18619 of 2021

RAJARAMAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VALATHY POLICE STATION,
VILLUPURAM DISTRICT.
(CRIME NO.478/2021)

[RESPONDENT]

For Petitioner : M/S S.SASIKUMAR 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 petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 306 IPC in Cr.No.478 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint against the petitioner and other accused persons stating that his father had committed suicide due to the harassment made by the petitioner and other accused to return back the money borrowed by the defacto complainant's father from the accused persons. Hence the case was registered.

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. It is further submitted that co-accused / A2 was already enlarged on anticipatory bail in Crl.O.P.No.18042 of 2021, vide order dated 29.09.2021. Hence, the learned counsel prays for extension of benefit to the petitioner herein.



5. The learned Government Advocate (Crl.Side) did not dispute the fact of enlargement of co-accused on anticipatory bail.

7. Considering the facts and circumstances of the case and further since the co-accused has been granted anticipatory bail in Crl.O.P.No.18042 of 2021, I am inclined to grant anticipatory bail to the present petitioner also.

8. 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 Judicial Magistrate, Gingee, 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 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 petitioner shall report before the respondent police as and when required;

(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]; and;



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

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-sd/-
08/10/2021

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,
GINGEE.

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

3 THE INSPECTOR OF POLICE,
VALATHY POLICE STATION,
VILLUPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S S.SASIKUMAR Advocate on payment of necessary charges SR.NO.11363

CRL OP.18619/2021

Date :08/10/2021

INBA-10/11/2021