

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Sixteenth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19675 of 2020

R.UDAYAKUMAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY [RESPONDENT]
INSPECTOR OF POLICE,
VELLORE NORTH POLICE STATION,
VELLORE.
CRIME NO.2348 OF 2020

For Petitioner : M/S G.BALAMANIKANDAN Advocate

For Respondent : MR. S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

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 354C, 406 and 420 of IPC in Crime No.2348 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that, the petitioner on a false promise to marry the defacto complainant had illegal affair and also grabbed money to the tune of Rs.3,50,000/- and two sovereigns of gold jewels. Hence, the complaint.

4.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. However, on instructions the learned counsel submitted that the petitioner is ready to deposit Rs.2Lakhs to the credit of crime No.2348 of 2020, thereafter the said amount may disburse to the defacto complainant and seeks for grant of anticipatory bail to the petitioner.

5.The learned Additional Public Prosecutor would submit that the petitioner and the defacto complainant had illegal affair. On a false promise that he will marry her, he grabbed two sovereigns of gold and

a cash of Rs.3,50,000/-. Now, the petitioner got married with another girl. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

6.Considering the facts and circumstances of the case and also that the petitioner is ready to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of crime No.2348 of 2020, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.2348 of 2020 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.IV, Vellore, within a period of 15 days from the date of receipt of a copy of this order, on executing a separate 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 conditions that:

[a] the petitioner is directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit of Crime No.2348 of 2020 and on such deposit, the learned Magistrate shall disburse the amount to the defacto complainant after obtaining appropriate affidavit.

[b] the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate 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 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 abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness 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 229-A IPC.

-sd/-

16/04/2021

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,
NO.IV, VELLORE

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 INSPECTOR OF POLICE,
VELLORE NORTH POLICE STATION,
VELLORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S G.BALAMANIKANDAN Advocate on payment of necessary charges Sr.4976

CRL OP.19675/2020

Date :16/04/2021

RVR 26/04/2021

WEB COPY