



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twelfth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice SATHI KUMAR SUKUMARA KURUP

CRIMINAL ORIGINAL PETITION No.19370 of 2021

SURESH

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
AMBATTUR TANK FACTORY POLICE STATION,
AMBATTUR DISTRICT.
CRIME NO.588 OF 2020.

[RESPONDENT]

For Petitioner : M/S.L.RAMU Advocate

For Respondent : MR.L.BASKARAN, Govt. Advocate (Crl. Side)

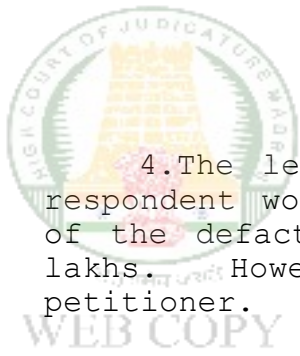
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable u/s.3(1) TNPPDL ACT r/w.506(ii) of IPC in Crime No.588 of 2020 seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is alleged to have caused damage to the building using excavator machine along with some unknown persons. The damage is estimated to Rs.5 lakhs. Hence the complaint.

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 for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner has encroached the land of the defacto complainant and caused damages to the tune of Rs.5 lakhs. However, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and submissions, this Court is inclined to grant anticipatory bail to the petitioners.

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 Judicial Magistrate Court, Ambattur, 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 deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.588 of 2020 before the learned Judicial Magistrate, Ambattur.

(c)the petitioner shall report before the respondent daily at 10:30 a.m for a period of two weeks and thereafter as an 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]; and;



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

WEB COPY

-sd/-
12/10/2021

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 COURT,
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
AMBATTUR TALUK FACTORY POLICE STATION,
AMBATTUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. L.RAMU Advocate on payment of necessary charges
SR.NO.11468

CRL OP.19370/2021

Date :12/10/2021

JPA 26/10/2021