



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Second day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.19748 of 2021

K.BASKAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
KRISHNAGIRI TALUK POLICE STATION,
KRISHNAGIRI DISTRICT.
CRIME NO. 438/2021.

[RESPONDENT]

For Petitioner : M/S. M. MARUDHACHALAM Advocate

For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)
[DATED 22/10/2021]

: MR. A.GOPINATH, Govt. Advocate (Crl. Side)
[DATED 29/10/2021]

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

ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest for the alleged offences under sections 353, 201 and **(*)506(i)** IPC, in Crime No.438 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was working as Special Tahsildar (Land Acquisition) NH 46, Krishnagiri. It is alleged that a case was registered **(*)under section 468,471 and 420 of IPC in Crime No. 59 of 2017**. In order to produce the evidence the defacto complainant went to the Court. It is further alleged that the petitioner intercepted the defacto complainant and tried to damage the documents. Thereby the Law Enforcing Agency registered a case against the petitioner.



3.The learned counsel appearing for the petitioner submits that the petitioner did not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the date of occurrence of the incident was on 14.09.2021 however complaint was filed on 07.10.2021. Hence he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submits that the investigation is pending. However, he opposed grant of anticipatory bail to the petitioner.

5. This Court perused the FIR statement, on perusal of FIR contents reveals that the date of occurrence of the incident was on 14.09.2021 however complaint was filed on 07.10.2021.

6. Considering the facts and circumstances of the case , this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate -II Krishnagiri 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 shall affix his 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 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.

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

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

(e) 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;



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

WEB COPY

-sd/-

22/10/2021

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.

(*)AMENDED AND TIME GRANTED BY THIS COURT IN THE ORDER PASSED IN CRL.OP.NO.197488 OF 2021 DATED 22/10/2021 IS EXTENDED BY A PERIOD OF TWO WEEKS FROM THE DATE OF RECEIPT OF A COPY OF THIS ORDER FOR THE PURPOSE OF EXECUTING THE SURETIES AND COMPLYING WITH THE CONDITIONS IMPOSED ON THE PETITIONER, AS PER ORDER OF THIS COURT DATED 29/10/2021 MADE IN CRL.MP.NO. 11128 OF 2021 IN CRL.OP.No. 19748 OF 2021

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KRISHNAGIRI TALUK POLICE STATION,
KRISHNAGIRI DISTRICT.

+1 CC to M/S. M. MARUDHACHALAM Advocate on payment of necessary charges SR.NO.12195

CRL OP.19748/2021

Date :22/10/2021

RW 22/10/2021

RW 01/11/2021