



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Eighth day of November Two Thousand Twenty One

PRESENT

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRIMINAL ORIGINAL PETITION No.20963 of 2021

RAJASANKAR

[PETITIONER / ACCUSED]

Vs

THE SUB INSPECTOR OF POLICE,
ULUNDURPET POLICE STATION,
CUDDALORE DISTRICT
(*) (CRIME NO.667/2021)

[RESPONDENT]

For Petitioner : M/S.S.SARAVANAKUMAR Advocate

For Respondent : MR.N.S.SUGUNTHAN COUNSEL FOR
Govt. Advocate (Crl. Side)
DATED:08/11/2021

: MR.L.BASKARAN, Govt. Advocate (Crl. Side)
[CRL.MP.NO.4192/2022 IN CRL.OP.NO.20963/2021]
DATED:12/04/2022

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 offences punishable under Section 379 of IPC in **(*)Crime No.667 of 2021**, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner is alleged to have transported ½ unit of pebble stones illegally in lorry. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He prays for grant of anticipatory bail to the petitioner.



4. The learned Public Prosecutor appearing for the respondent submitted that the petitioner has transported ½ unit of pebble stones illegally in lorry. He further submitted that there is one previous case pending against the petitioner.

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5. Considering the facts and circumstances of the case and also considering the submission made by the learned Public Prosecutor, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate-I, Ulundurpet Taluk, 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 is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of the Registered Advocate Clerk Association, Virudhachalam, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] 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 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 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.

-sd/-

08/11/2021

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 as per order of this Court dated 12/04/2022 made in CRL.MP.NO.4192/2022 IN CRL.OP.NO.20963/2021.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, ULUNDURPET

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
ULUNDURPET POLICE STATION,
CUDDALORE DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE REGISTERED ADVOCATE
CLERCK ASSOCIATION, VIRUDHACHALAM

CC to M/S.S.SARAVANAKUMAR Advocate on payment of necessary charges

CRL OP.20963/2021

Date :08/11/2021

APN 12/11/2021

CSK 21/04/2022