



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twelfth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL ORIGINAL PETITION No.21329 of 2021

NAGARJUNA REDDY

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ANNA SALAI POLICE STATION,
CHENNAI DISTRICT.
(CRIME NO.63 OF 2020)

[RESPONDENT]

For Petitioner : M/S.SARAVANAN Advocate

For Respondent : MR.N.S.SUGANTHAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

(The case has been heard through video conferencing)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 420 of I.P.C in Crime No.63 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that the complainant namely one Kattu Raja doing business of lending camera on rental basis. The petitioner approached the complainant through "OLX" and rented the camera for two days. After obtaining rent, documents and proof of address from the petitioner, the complainant handed over the camera for rent. After receiving the camera, the petitioner absconded and did not return back the camera to the complainant. Hence, this complaint has been lodged by the defacto complainant.

3. The learned counsel appearing for the petitioner submitted that the petitioner did not commit any alleged offence. He is an innocent person and no way connected for the alleged offence. Hence, seeks anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.side) would submit that the worth of camera and other articles is about Rs.3,69,000/-. The petitioner did not handed over the camera to the defacto complainant. The occurrence took place in the year 2019 and F.I.R was registered in the year 2020 and the investigation is still pending.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Metropolitan Magistrate No.II, Egmore, Chennai, 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 appear before the respondent police daily at 10.30 a.m for a period of four 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/-

12/11/2021

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.

TO

1 THE METROPOLITAN MAGISTRATE
NO.II, EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE CHENNAI

3 THE INSPECTOR OF POLICE,
ANNA SALAI POLICE STATION,
CHENNAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.C.ARIVAZHAGAN Advocate on payment of necessary charges SR.No.12758

CRL OP.21329/2021

Date :12/11/2021

APN 16/11/2021