



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2021

CORAM:

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

Crl.O.P.No.21978 of 2021

Rajendran

.. Petitioner

Vs.

State by

The Inspector of Police,
Grubarapalli Police Station,
Krishnagiri District.

(Crime No.810 of 2020)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on bail in the event of his arrest in Crime No.810 of 2020 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Jayachandran

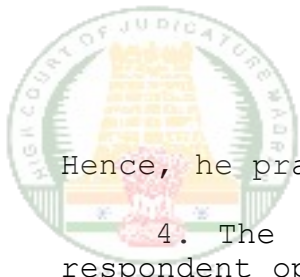
For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl.Side)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of IPC in Crime No.810 of 2020, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioners had illegally transported 3 units of river sand by using tipper lorry without any valid licence. Hence the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, on instructions, the learned counsel further submits that the petitioner, on his own volition, is ready and willing to contribute a sum of Rs.15,000/- to the credit of the Sevalaya, No.F-2, Pushkarani Apartments, 12 Ananda Road, Alwarpet, Chennai 600 018 bearing Account Name : Sevalaya, Account No.218601000134, ICICI Bank, Mylapore Branch, IFSC Code : ICIC0002186, Chennai -6000 004 that may be imposed by this Court.



Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent opposed for granting of anticipatory bail to the petitioner by stating that petitioner had illegally transported 3 units of river sand by using tipper lorry without any valid licence.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel and also the fact that the petitioner has willfully and on his own volition agreed to contribute a sum of Rs.15,000/- for charitable purpose, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Principal District Session Judge, Krishnagiri on condition that each of the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten thousand only) each 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.15,000/- (Rupees Fifteen thousand only) to the Sevalaya, No.F-2, Pushkarani Apartments, 12 Ananda Road, Alwarpet, Chennai 600 018 bearing Account Name : Sevalaya, Account No.218601000134, ICICI Bank, Mylapore Branch, IFSC Code : ICIC0002186, Chennai -600 004, 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 is directed to report before the respondent police on every Friday at 10.30 a.m., for a period of four weeks and thereafter as and 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/-

22/11/2021

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 PRINCIPAL DISTRICT SESSION
JUDGE, KRISHNAGIRI

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
GRUBARAPALLI POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE SEVALAYA, NO.F-2,
PUSHKARANI APARTMENTS, 12 ANANDA ROAD,
ALWARPET, CHENNAI 600 018 BEARING ACCOUNT
NAME: SEVALAYA, ACCOUNT NO.21860100134,
ICICI BANK, MYLAPORE BRANCH,
IFSC CODE: ICIC0002186
CHENNAI 600 004

+1 CC to M/S. M.JAYACHANDRAN Advocate on payment of necessary charges SR.No.13370

CRL OP.21978/2021

Date :22/11/2021

APN 29/11/2021