



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

CORAM:

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

Cr1.O.P.No.21948 of 2021

Krishnamurthy

... Petitioner

Vs.

State Represented by  
Inspector of Police,  
Ennore Police Station,  
Chennai.

(Crime No.915 of 2021)

... Respondent

**PRAYER:** Criminal Original Petition has been filed under Section 438 of Cr.P.C praying to enlarge the petitioner/accused on bail in the event of his arrest in Crime No.915 of 2021 on the file of the respondent Police.

For petitioner : Mr.S.Shankar

For Respondent : Mr.N.S.Suganthan  
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 379 of IPC, in Crime No.915 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is arrayed as A1. The petitioner and other accused were way laid the defacto complainant and snatched cell phone from the pant pocket of the defacto complainant, for which the defacto complainant lodged a complaint before the respondent police, resulting which, the present complaint has been filed.



3.The learned counsel for the petitioner would submit that the petitioner did not commit any offences as alleged by the prosecution. Hence, he seeks for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate would submit that the properties are recovered and that there is one previous case is pending against the petitioner.

5.Taking into consideration, the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 learned Judicial Magistrate Court, Thiruvottiyur, 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 said Magistrate, 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 report before the respondent police every week Friday and Saturday at 10.30 a.m., for a period of four 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]; and;



[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-  
24/11/2021

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 JUDICIAL MAGISTRATE,  
THIRUVOTTIYUR. CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,  
ENNORE POLICE STATION, CHENNAI

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

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

CRL OP.21948/2021

Date :24/11/2021

JPA 29/11/2021