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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.24472 of 2021

Bhoomi @ Manikandan

... Petitioner

Versus

The State represented by  
The Station House Officer,  
**(\*)Neyveli Township Police Station,**  
Cuddalore District.  
(Crime No.870 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on bail in the event of his arrest pending investigation in Crime No.870 of 2021 on the file of the Inspector of Police, **(\*)Neyveli Township Police Station,** Cuddalore District.

For Petitioner : Mr.R.Gopinath

For Respondent : Mr.N.S.Suganthan  
Government Advocate (Crl. Side)  
(DATED 22.12.2021)

: M/S.L.BASKARAN,  
Government Advocate (Crl.Side)  
(DATED 28.02.2022)

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O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 399 of IPC in Crime No.870 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that on 01.09.2021 the respondent police get the secret information some person playing in vettu chit card in places at Sagitham Kezhur Cashew Garden. The



respondent went to the Sagitham Kezhur Cashew Garden at time the petitioner has playing with chit in side Cashew garden. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the 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 before the learned District Munsif cum Judicial Magistrate, Cuddalore, 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, Cuddalore District 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 every Sunday at 10.30 a.m., until further orders;

[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 anticipatory 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/-  
22/12/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

**[\*]Amended as per order of this court dated 28.02.2022 made in Cr1.MP.NO.2256/2022 in Cr1.O.P.No. 24472/2021**

TO

1 THE DISTRICT MUNSIF CUM  
JUDICIAL MAGISTRATE, CUDDALORE.

2 THE CHIEF JUDICIAL MAGISTRATE  
CUDDALORE DISTRICT.[FOR INFORMATION]

3 THE STATION HOUSE OFFICER,  
**(\*)NEYVELI TOWNSHIP POLICE STATION,**  
CUDDALORE DISTRICT.

4 THE STATION HOUSE OFFICER,  
ALADI POLICE STATION,  
CUDDALORE DISTRICT.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.



6 THE REGISTERED ADVOCATE  
CLERK ASSOCIATION, CUDDALORE DISTRICT.

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+1 CC to M/S.R.GOPINATH Advocate on payment of necessary charges  
SR.NO.3084

CRL OP.24472/2021

Date :22/12/2021

RW 29/12/2021

RW 08/03/2022