



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.24766 of 2021

Chinnaraji

... Petitioner

Versus

The State represented by
The Inspector of Police,
Vaniyambadi Taluk Police Station.
(Crime No.357 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 arrest on connection with Crime No.357 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Vijayaraj

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 341, 294 (b), 392, 397, 506(ii) of IPC in Crime No.357 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had lodged the false complaint before the respondent police occurrence date the petitioner and Associates Robbed Rs.1400/- and lodged a complaint before the respondent police. 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 Additional Public Prosecutor appearing for the respondent submitted that no previous case pending against the petitioner / A2 and A1 arrested and still in jail. However, 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 Judicial Magistrate, Vaniyambadi, Tirupathur District, 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 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;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(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.

-sd/-

23/12/2021

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.



1 THE JUDICIAL MAGISTRATE,
VANIYAMBADI, TIRUPATHUR

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 INSPECTOR OF POLICE,
VANIYAMBADI TALUK POLICE STATION,
TIRUPATHUR

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S S.VIJAYARAJ Advocate on payment of necessary charges
SR.15595

CRL OP.24766/2021

Date :23/12/2021

RVR 04/01/2022