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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2021

CORAM:

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

Crl.O.P.Nos.24850, 24854 and 24853 of 2021

Kuppan @ Krishnaraj

...Petitioner
(in all Crl.OPs)

Vs.

The State rep. by
The Inspector of Police
Sholavaram Police Station,
Thiruvallur District.

... Respondent
(in all Crl.OPs)

Common Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to grant bail in the event of his arrest in Crime Nos.1161, 1159 and 1160 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.Rajinikanth
(in all Crl.OPs)

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

COMMON 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 Nos.1161, 1159 and 1160 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has stolen the defacto complainants' cows. Hence, the complaint.

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



4.The learned Government Advocate (Crl.Side) submits that totally there are 33 cows were stolen worth about Rs.12,00,000/- and so far three cows were recovered. He further submits that the petitioner is the broker acting for A1 and the said A1 was arrested. Hence, he vehemently opposed for granting bail to the petitioner.

5. Considering the submissions made by both counsel and considering the age of the petitioner and his old age ailments, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty thousand Only) to the credit of Crime Nos.1161, 1159 and 1160 of 2021 and on such deposit, 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 No.II, Ponneri 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 defacto complainants (in all Crl.OPs) are permitted to withdraw the said deposit amounts of Rs.50,000/- (Rupees Fifty thousand Only) on proper identification and acknowledgment.

(c)the petitioner shall report before the respondent police on every Wednesday 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 has been imposed and the petitioner is 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;



(e) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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-sd/-

21/12/2021

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.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, PONNERI, THIRUVALLUR DISTRICT.

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

3 THE INSPECTOR OF POLICE,
SHOLAVARAM POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+3 CC to M/S. M.RAJINIKANTH Advocate on payment of necessary charges SR.Nos.15267, 15268 & 15269

CRL OP.Nos.24850, 24854 & 24853 /2021

Date :21/12/2021

RW 03/01/2022