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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.No.25019 of 2021

Pradeep @ Pradeep Kumar

.. Petitioner

Vs.

The State Rep by
The Inspector of Police
Vadalure Police Station,
Cuddalore District.
Crime No.797 of 2021

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the the petitioner on bail in the event of his arrest in Crime No.797 of 2021 pending investigation on the file of respondent police.

For Petitioner : Mr.K.Kannan

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 399 of IPC in Crime No.797 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused have planned to commit robbery. 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. 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.10,000/- to any Charitable Purpose as may be directed by this Court and he prays for grant of anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl side) submits that the co-accused were arrested and remanded to judicial custody. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

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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.10,000/- for charitable purpose, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Kurinjipadi 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 petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Vadalur Sathya Dharma Salai, Thiruarutprakasa Vallalar Dheiva Nilayam, Vadalur - 607303, Cuddalore District, A/c. Name: Vallalar Deiva Nilayam, Vadalur, A/c. No.028101000000232, Indian Overseas Bank, Vadalur Branch, Branch Code-0281, IFSC Code-IOBA0000281 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.;

(c) the petitioner shall report before the respondent police on every Tuesday 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;

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

-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,
KURINJIPADI, CUDDALORE DISTRICT.

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

3 THE INSPECTOR OF POLICE,
VADALURE POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 VADALUR SATHYA DHARMA SALAI,
THIRUARUTPRAKASA VALLALAR DHEIVA NILAYAM,
VADALUR - 607303, CUDDALORE DISTRICT,
A/C. NAME: VALLALAR DEIVA NILAYAM, VADALUR,
A/C. NO.028101000000232, INDIAN OVERSEAS BANK,
VADALUR BRANCH, BRANCH CODE-0281, IFSC CODE-IOBA0000281

+1 CC to M/S K.KANNAN Advocate on payment of necessary charges
SR.NO.15221

CRL OP.25019/2021

Date :21/12/2021

RW 23/12/2021