



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.29 of 2022

V.Maranmathy Vendarasi

... Petitioner

Versus

State represented by
The Inspector of Police,
Kayaar Police Station,
Chengalpattu District.
(Crime No.403 of 2010)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on anticipatory bail in the event of arrest on Non-bailable warrant in S.C.No.198 of 2010, issued by the learned Hon'ble III Additional District and Session Court, Chengalpattu, pending trial.

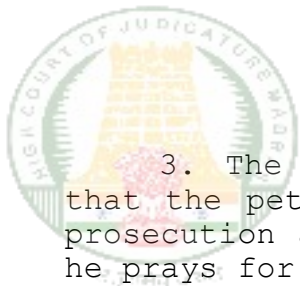
For Petitioner : Mr.V.Ramanareddy

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

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 147, 148, 324, 302 r/w 34 of IPC in S.C.No.198 of 2010, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was promptly appearing in the said case before the learned III Additional District and Session Court, Chengalpattu, in the initial stages and was complied with all the necessary instructions by the said trial Court. While being so, he was under life threat made by few rival group, even the said rival group demolished the petitioner dwelling house, which made the petitioner to leave the vicinity and safeguard themselves. In order to escape from the above said life threat from their rivalry group, the petitioner was out of station after their last attendance towards the trial on 20.03.2017 before the trial Court. Due to the above said life threat after 20.03.2017 the petitioner could not be in a position to present himself before the trial Court. Hence the case.



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.

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

5. Considering the facts and circumstances of the case, NBW is pending, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned III Additional District and Session Court, Chengalpattu, 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 appear before the Trial Court regularly and co-operate for trial without fail;

(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.

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-sd/-

05/01/2022

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.

TO

1 III ADDITIONAL DISTRICT
AND SESSION COURT, CHENGALPATTU

2 THE INSPECTOR OF POLICE,
KAYAR POLICE STATION,
CHENGALPATTU DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/s.V.Ramanareddy Advocate on payment of necessary
charges Sr.194

CRL OP.29/2022

Date :05/01/2022

RVR 07/01/2022