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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2022

CORAM:

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

Crl.O.P.No.606 of 2022

Ganapathi @ Ganapathi Raman

.. Petitioner

Vs.

State represented by
The Inspector of Police,
R6 Kumaran Police Station,
Saidapet,
Chennai.

PRC No.03 of 2005

... Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C.,
praying to enlarge the petitioner on bail in the event of his arrest
in PRC No. 03 of 2005 on the file of the Hon'ble XXIII Metropoliatan
Magistrate Court at Saidapet, Chennai.

For Petitioner : Mr.D.Padmanabhan

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

ORDER

(This case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Sections
332, 333, 307 r/w 341 of IPC, in PRC No. 03 of 2005 on the file of
the Hon'ble XXIII Metropoliatan Magistrate Court at Saidapet, Chennai,
seeks anticipatory bail.

2. When the case was posted for hearing, the petitioner did not
appear before the Court. Accordingly, the lower Court issued Non
Bailable Warrant against the petitioner on 20.11.2021 for his non
appearance.



3. The learned counsel for the petitioner submitted that the petitioner is now ready to appear before the trial Court and to abide by any stringent conditions imposed by this Court. Hence he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the charge sheet has been filed.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with a condition that the petitioner should co-operate for the trial proceedings.

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 (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the XXIII Metropolitan Magistrate Court at Saidapet, Chennai 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 shall appear before the trial Court on all hearing dates, 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/-
11/01/2022

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 XXIII METROPOLITAN MAGISTRATE COURT,
SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI (FOR INFORMATION).

3 THE INSPECTOR OF POLICE,
R6, KUMARAN POLICE STATION,
SAIDAPET, CHENNAI.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.

+1 CC to M/S. D.PADMANABHAN Advocate on payment of necessary charges SR.NO.617

CRL OP.606/2022

Date :11/01/2022

INBA~20/01/2022