



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2022

WEB COPY

CORAM:

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

Cr1.O.P.No.1316 of 2022

M.Praveen Kumar

...Petitioner

Vs.

The State Represented by
The Inspector of Police (crime),
R3, Ashok Nagar Police Station,
Ashok Nagar,
Chennai - 600 083.
(Crime No.524 of 2021)

... 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 by the respondent police concerned in crime No.524 of 2021, on the file of the respondent Police.

For Petitioner : Mr.K.Suthan

For Respondent : Mr.A.Gokulakrishnan

Additional Public Prosecutor

ORDER

The petitioner, who apprehends arrest for the alleged offence under Section 379 of IPC, in Cr.No.524 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was way laid the defacto complainant and snatched mobile phones from the pant pocket of the defacto complainant, for which the defacto complainant lodged a complaint before the respondent police, resulting which, the present complaint has been filed.

3.The learned counsel appearing for the petitioner submits that the petitioners is an innocent person and he has not committed any offence as alleged by the prosecution. 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 Additional Public Prosecutor submits that the property is yet to be recovered and the investigation is almost completed.

5. Considering the facts and circumstances of the case and also the submissions made by both counsel and the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner.

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 **Metropolitan Magistrate Court No.XVII, Saidapet, Chennai - 600 015**, 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 petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten thousand only) to the Registered Advocate Clerks Association, Chennai**, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier and shall produce the said receipt before the Court below;

(b) 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;

(c) **the petitioner shall report before the respondent police every Tuesday at 10.30 a.m., for a period of four weeks and thereafter as and when required for an 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 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/-
24/01/2022

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 METROPOLITAN MAGISTRATE,
NO.XVII, SAIDAPET, CHENNAI-600 015.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE, (CRIME),
R-3, ASHOK NAGAR POLICE STATION,
ASHOK NAGAR, CHENNAI-600 083.

5 THE REGISTERED ADVOCATE CLERK ASSOCIATION,
HIGH COURT, CHENNAI.

CC to M/S.KRS LAW FIRM Advocate on payment of necessary charges

CRL OP.1316/2022

Date :24/01/2022

TA-01/02/2022