



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2022

CORAM:

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

Cr1.O.P.No.2607 of 2022

M.Vinoth

.. Petitioner

Vs.

The State represented by
The Inspector of Police
Adambakkam Police Station,
Kancheepuram District.
(Crime No.335 of 2021)

...Respondent

Prayer: Criminal Original Petition filed under Section 438 of Cr.P.C., praying to enlarge the petitioner on Anticipatory Bail in the event of his arrest in Cr.No.335 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.N.Arunkumar

For Respondent : Mr.A.Gokulakrishnan,
Additional Public Prosecutor

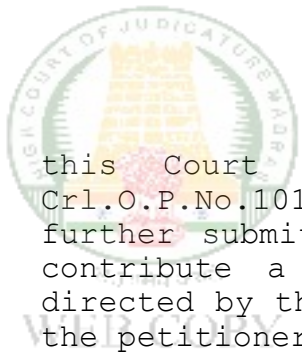
ORDER

(The case has been heard through video conference)

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 147, 148, 294(b), 452, 427, 436 and 506(ii) of IPC r/w Section 4 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.335 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 14.10.2021, the petitioner along with other accused has entered into the defacto complainant's sound service shop and damaged the materials belong to him worth about Rs.15,000/-. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offense as alleged by the prosecution. He further submits that the co-accused persons have been already granted anticipatory bail by



this Court in Crl.O.P.No.23946 of 2021 dated 10.12.2021 and Crl.O.P.No.1015 of 2022 dated 20.01.2022. However, on instructions, further submits that, on his own volition, is ready and willing to contribute a sum of Rs.5000/- for 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 appearing for the respondent opposed for granting anticipatory bail to the petitioner by stating that the petitioner along with other accused have entered into the defacto complainant's sound service shop and damaged the materials belong to him worth about Rs.15,000/-. He further submitted that there are two previous cases pending against the petitioner.

5. Considering the facts and circumstances of the case and that the petitioner willfully, on his own volition has agreed to contribute a sum of Rs.5000/- 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 (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judicial Magistrate Court-II, Alandur 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 is directed to deposit a sum of Rs.5000/- (Rupees Five Thousand Only) to Madras High Court Advocate Clerks Welfare 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 on every Saturday 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 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/-

04/02/2022

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 JUDICIAL MAGISTRATE-II,
ALANDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ADAMBAKKAM POLICE STATION,
KANCHEEPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE MADRAS HIGH COURT
ADVOCATE CLERK WELFARE ASSOCIATION,
CHENNAI.

+1CC to M/S.S.N.ARUNKUMAR Advocate on payment of necessary charges SR.No.2039

CRL OP.2607/2022

Date :04/02/2022

CSK 11/02/2022