



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.4696 of 2022

1 ANTO @ LURDHUSAMY [ PETITIONERS / ACCUSED ]  
2 DHANRAJ  
3 MONI @ RUBANMONISHA  
4 JO WILLIAM VISHAL

Vs

STATE REP BY [ RESPONDENT ]  
THE INSPECTOR OF POLICE,  
MAPPEDU POLICE STATION,  
THIRUVALLUR DISTRICT.  
CRIME NO.23 OF 2022.

For Petitioner : M/S.R.PARTHIBAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate ( Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 341, 323, 379 and 506(ii) of IPC in Crime No.23 of 2022, on the file of the respondent police, seek anticipatory bail.

2. It is alleged that the petitioners herein have stolen three sovereigns of gold chain, while there was a scuffle between the petitioners and the defacto complainant.

3. The learned counsel for the petitioners has submitted that the petitioners are in no way involved in the crime and they have not taken the gold chain of the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioners and they are ready to abide any conditions.



4. The learned Government Advocate (Crl.Side) opposed to grant anticipatory bail to the petitioners by stating that three sovereigns of gold chain was not yet recovered.

5. Considering the rival submissions made by both counsel, this Court is of the view that the petitioners will be granted anticipatory bail on condition that they shall deposit a sum of Rs.40,000/- to the credit of Crime No.23 of 2022 before the learned Judicial Magistrate-II, Thiruvallur.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate-II, Thiruvallur**, on condition that **the petitioners shall execute separate bonds for a sum of Rs.1,00,000/- (Rupees One lakh Only) each**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioner shall deposit a sum of Rs.40,000/- (Rupees Forty Thousand only) to the credit of Crime No.23 of 2022 before the learned Judicial Magistrate-II, Thiruvallur.

(c) the petitioners 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;

**(d) the petitioners shall report before the Investigation Officer daily at 10.30 a.m., until further orders;**

(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioners shall not abscond either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in



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accordance with law as if the conditions have been imposed and the petitioners 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;

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

-sd/-

01/03/2022

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,  
NO.II, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
MAPPEDU POLICE STATION,  
THIRUVALLUR DISTRICT.

+1 CC to M/S.R.PARTHIBAN Advocate on payment of necessary charges SR.NO.3178

CRL OP.4696/2022

Date :01/03/2022

TA-04/03/2022