



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifteenth day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.5671 of 2022

1 T.VENKATARATHINAM [PETITIONERS / ACCUSED]
2 T.VIJAYAKUMAR

Vs

THE STATE REP.BY [RESPONDENT]
THE INSPECTOR OF POLICE
D-6, POTHATTURPET POLICE STATION,
TIRUVALLUR DISTRICT.
CRIME NO.8/2022.

For Petitioner : M/S.K.VENKATESWARAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (CrI. 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 alleged offences under Sections 120A, 340, 415 & 477 of IPC, in Crime No.8 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. From the First Information Report, it appears that the dispute regarding the sale agreement and receipt of Rs.25,00,000/- from the defacto complainant and later destroyed the document stealthily has led to exchange of notice between the parties in the month of February, 2019, for which reply was given on 07.10.2019, denying the receipt of Rs.25 lakhs as consideration.

3. It is stated by the learned Government Advocate (CrI. Side) that the earlier complaint was enquired as CSR and closed. Thereafter, the defacto complainant has filed an application under Section 156(3) of Cr.P.C., before the learned Magistrate and pursuant to that, the present complaint was registered under FIR No.8 of 2022. He further states that the petitioners have not come forward to



participate in the enquiry and therefore, the respondent police is unable to proceed further.

4. Recording the said submission, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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, Pallipattu**, on condition that each of the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty thousand Only), with two sureties, each for a like sum to the satisfaction of the learned Magistrate, failing which the anticipatory bail shall stand canceled and on further condition that:

(a) 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;

(b) **the petitioners shall report before the Investigating Officer daily at 10.30 a.m., until further orders.**

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

(d) the petitioners 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 petitioners in 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;



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

WEB COPY

-sd/-
15/03/2022

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,
PALLIPATTU, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
D-6, POTHATTURPET POLICE STATION,
TIRUVALLUR DISTRICT.

+1 CC to M/S.K.VENKATESWARAN Advocate on payment of necessary charges SR.NO.3967

CRL OP.5671/2022

Date :15/03/2022

TA-21/03/2022