



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.5963 of 2022

PREMKUMAR

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
INSPECTOR OF POLICE,
KADAMPULIYUR POLICE STATION,
CUDDALORE DISTRICT.
CRIME NO.99 OF 2022.

[RESPONDENT]

For Petitioner : M/S.B.GOPALAKRISHNAN 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 petitioner, who apprehend arrest for the alleged offences under Sections 341, 384 and 506(i) of I.P.C in Crime No.99 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The complaint against the petitioner is that he has taken away the parent document of the property which he agreed to sell to the accused.

3. The learned counsel for the petitioner has submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that a part of the property was sold to the petitioner's father 25 years ago and after taking advantage, to sell the remaining part of the property to the petitioner, the defacto complainant has lodged a false complaint against the petitioner.



4. The learned Government Advocate (Crl. Side) submits that the presence of the petitioner is required for an enquiry to ascertain whether there is any criminal cognizable offence was made out.

5. In view of the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is 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 No. II, Panruti, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/-only (Rupees Twenty Five 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 his 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall report before the Investigating Officer daily at 10.30 a.m. until further orders;

(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 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;



(f) if the accused thereafter absconds, 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,
NO.II, PANRUTI.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KADAMPULIYUR POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.B.GOPALAKRISHNAN Advocate on payment of necessary charges SR.NO.3940

CRL OP.5963/2022

Date :15/03/2022

JPA 23/03/2022