



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty First day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6313 of 2022

KALAIMANI

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
BELUKURICHI POLICE STATION,
NAMAKKAL DISTRICT.
(CR.NO.17 OF 2022)

[RESPONDENT]

For Petitioner : M/S.W.CAMYLES GANDHI 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 apprehends arrest for the alleged offences under Section 379 of IPC in Crime No.17 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on the date of occurrence, when the respondent police officials on their regular vehicle checkup at Uthrakidikaval Village, at that the petitioner along with other accused were found in possession of Bricks without any valid documents. Hence, the complaint.

3. The learned Counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Considering the gravity of the offence, this Court is inclined to grant anticipatory bail to the petitioner, subject to certain conditions.



5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate-II, Namakkal, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (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 as and when required for interrogation;

(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.

-sd/-

21/03/2022

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-II,
NAMAKKAL.



2 THE CHIEF JUDICIAL MAGISTRATE
NAMA~~K~~KAL [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
BELUKUR~~I~~CHI POLICE STATION,
NAMA~~K~~KAL DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary
charges SR.No.4240

CRL OP.6313/2022

Date :21/03/2022

CSK 23/03/2022