



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Second day of March Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.6470 of 2022

JANAKIRAMAN

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE STATION HOUSE OFFICER,
VILLANUR POLICE STATION,
PUDUCHERRY
(CRIME NO.68/2022)

[RESPONDENT]

For Petitioner : M/S.R.SREEDHAR Advocate

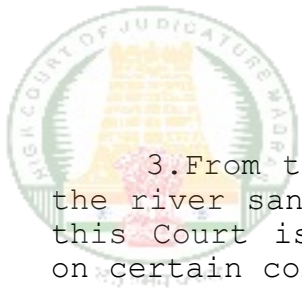
For Respondent : MR. V.BALAMURUGANE, Public Prosecutor for Puducherry

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of IPC, Section 3(1) of Prevention of Damage to Public Property Act, 1984 and Section 34 of IPC in Crime No.68 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. During the raid, they intercepted the bullock cart carrying ½ unit of river sand one Vinoth and Kumar were arrested for possessing the same. Based on the confession statement, they came to know that for the past three days, the river sand has been excavated and transported and stocked at the backyard of the accused Vinoth's house, Shanmugapriya Nagar and Srinivasa Nagar totally 10.5 units of sand were recovered and the investigation is revealed that one Arumugam is the owner of the bullock cart and the present petitioner Mr.Janakiraman associated with one Vinoth and Chinnathambi. The said Janakiraman is before this Court seeking anticipatory bail.



3. From the First Information Report, there is no indication that the river sand was found in possession of this petitioner. Therefore, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

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4. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.68 of 2022, within a period of seven days from the date on which the order copy made ready, and on such deposit 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 -III, Puducherry*, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only), with two sureties 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) if the petitioner 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.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.68 of 2022, within a period of seven days from the date on which the order copy made ready;

(c) 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;

(d) the petitioner shall report before the respondent police as and when required for interrogation;

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

(f) the petitioner 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 petitioner in accordance with law as if the conditions have 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;



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

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-sd/-
22/03/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE-III,
PUDUCHERRY.

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY [FOR INFORMATION]

3 THE STATION HOUSE OFFICER,
VILLANUR POLICE STATION,
PUDUCHERRY.

4 THE PUBLIC PROSECUTOR
PUDUCHERRY.

+1CC to M/S.R.SREEDHAR Advocate on payment of necessary charges
SR.No.4295

CRL OP.6470/2022

Date :22/03/2022

CSK 24/03/2022