



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9614 of 2022

MANIKANDAN

[PETITIONER / ACCUSED]

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE,
F-4, THOUSAND LIGHTS POLICE STATION,
CHENNAI DISTRICT.
(CRIME NO.376/2021)

[RESPONDENT]

For Petitioner : M/S B.M.SANTHARAM Advocate

For Respondent : M/S.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 offence under Section 392 of IPC in Crime No.376 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein is an absconding accused in a case where the de facto complainant was threatened at knife point and a cell phone was robbed and some of the accused were arrested and released on bail, this petitioner is named accused.

4. The learned counsel for the petitioner states that the de facto complainant is working as Sub-Inspector in the thousand light police station and the petitioner is also residing within the said station limit. Due to previous enmity a false complaint has been lodged against him.



5. Considering the facts, co-accused was arrested and released on bail and overt act of robbing cell phone been attributed, this court is inclined to grant anticipatory bail to the petitioner.

WEB COPY

6. 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 XIV Metropolitan Magistrate, Egmore, Chennai, on condition that the petitioner 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 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 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 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.

-sd/-
27/04/2022

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 METROPOLITAN MAGISTRATE,
NO.XIV, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
F-4, THOUSAND LIGHTS POLICE STATION,
CHENNAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S B.M.SANTHARAM Advocate on payment of necessary
charges SR.NO. 6406

CRL OP.9614/2022

Date :27/04/2022

RW 04/05/2022