



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Fifth day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.8990 of 2022

1 DILIP KUMAR
2 JAYA KUMAR

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
M.K.B. NAGAR POLICE STATION,
CHENNAI
CRIME NO.303/2019

[RESPONDENT]

For Petitioner : M/S. G.VINODHKUMAR 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 petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 341, 294(b), 336, 392, 397 and 506(II) of IPC in Crime No.303 of 2019, on the file of the respondent police, seek anticipatory bail.

2. The petitioners herein are absconding accused in Crime No.303 of 2019 dated 19.05.2019. According to the prosecution, these petitioners along with one Asudoss has restrained the de facto complainant on 19.05.2019 at about 06.00 hrs and at knife point robbed Rs.450/- and cell phone. A-1 was arrested and cell phone was recovered from him. The petitioners were absconding and now before this Court seeking anticipatory bail.

3. The learned Government Advocate (Crl. Side) states that A-2 is having two previous cases of similar nature.



4. Considering the fact that stolen article has already been recovered from the arrested accused, this Court is inclined to grant anticipatory bail to the petitioners.

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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 Metropolitan Magistrate No. X, Egmore, on condition that each of the petitioners shall execute separate 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 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 as and when required for interrogation and co-operate for the investigation 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.

-sd/-

25/04/2022

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.



1 THE METROPOLITAN MAGISTRATE,
NO.X, EGMORE, CHENNAI.

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

3 THE INSPECTOR OF POLICE,
M.K.B. NAGAR POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. G.VINODHKUMAR Advocate on payment of necessary
charges SR.NO. 6221

CRL OP.8990/2022

Date :25/04/2022

RW 28/04/2022