



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Second day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.9224 of 2022

SELVAM

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
MADURANTAKAM POLICE STATION,
CHENGALPET DISTRICT.
(CRIME NO.118/2022)

[RESPONDENT]

For Petitioner : M/S. R.PARTHIBAN 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 offence under Sections 341, 294(b), 392 and 506(I) of IPC in Crime No.118 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein apprehending arrest by the respondent police on a complaint given by one Annadurai for the offence under Sections 341, 294(b), 392 and 506(I) of IPC. As per the prosecution on 17.02.2022, the de facto complainant was followed by two persons aged about 30 years and he was restrained by them, thereafter threatened him with dire consequences and robbed his two wheeler. The de facto complainant followed them in another two wheeler and found them in the house of this petitioner and when he enquired the petitioner, he threatened with dire consequences and came to know that the petitioner is the father of one Arunkumar, who is one of the two persons who snatched away the two wheeler from him.



3. The learned counsel for the petitioner would submit that except the fact that the petitioner is the father of one of the accused, who has committed the alleged offence and there is no other specific overt act against him.

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4. The learned Government Advocate (Crl. Side) states that the motor cycle was recovered from Arunkumar and his associates and they were arrested and sent to judicial custody.

5. Considering the averments made in the FIR and the submissions made by the learned Government Advocate (Crl. Side), 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 his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Maduranthakam, Chengalpet District 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 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 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.

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-sd/-

22/04/2022

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 JUDICIAL MAGISTRATE,
MADURANTHAKAM, CHENGALPATTU DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MADURANTAKAM POLICE STATION,
CHENGALPET DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. R.PARTHIBAN Advocate on payment of necessary charges SR.No.6140

CRL OP.9224/2022

Date :22/04/2022

CSK 28/04/2022