



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Dr Justice G. JAYACHANDRAN

CRIMINAL ORIGINAL PETITION No.10106 of 2022

KHALIBATHULLAH

[PETITIONER / ACCUSED]

Vs

STATE REP.BY
SUB INSPECTOR OF POLICE,
OMALUR POLICE STATION,
SALEM DISTRICT.
CRIME NO.667 OF 2021.

[RESPONDENT]

For Petitioner : M/S.V.MURUGESAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (Crl. Side)

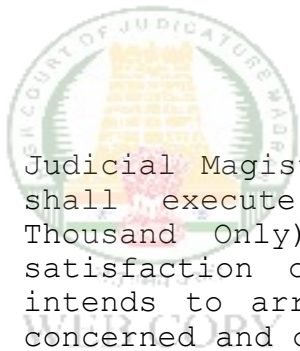
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner herein, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 380 & 457 of IPC, in Crime No.667 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner herein is one of the accused in a case of house breaking. The CCTV footage collected by the Investigating Officer has disclosed the involvement of this petitioner. This petitioner is still absconding and all the stolen property had been recovered.

3. Considering the age of the petitioner and the fact that all the stolen property already recovered, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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, Omalur, Salem, 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) 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 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;

(c) the petitioner shall report before the Investigating Officer daily at 10.30 a.m., for 30 days and thereafter, as and when required for interrogation;

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

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;

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

-sd/-
29/04/2022

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,
OMALUR, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
OMALUR POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.V.MURUGESAN Advocate on payment of necessary charges
SR.NO.6637

CRL OP.10106/2022

Date :29/04/2022

JPA 05/05/2022