



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G. CHANDRASEKHARAN

CRIMINAL ORIGINAL PETITION No.10709 of 2022

SARAVANAN N MOHANRAJ

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE

[RESPONDENT]

B1, NORTH BEACH POLICE STATION,
CHENNAI.

(CR.NO.166 OF 2022 B-1, P.S.)

For Petitioner : M/S.S.M.RAGHURAM Advocate

For Respondent : MR.N.S.SUGANTHAN, 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 offences under Section 3 of TN Public Property (Prevention of Damage & Loss) Act, 1992 (as amended) in Crime No.166 of 2022, on the file of the respondent police, seek anticipatory bail.

2. It is seen from the allegation made in the complaint that vehicle bearing No.TN-02 AX-3942 was parked in District Collector's Office, Chennai on 19.04.2022 night. When the defacto complainant had come on 20.04.2022, saw the vehicle damaged. Therefore, this complaint was given.

3.Learned counsel for the petitioner submitted that petitioner's name is not mentioned in the first information report. However, he was called for enquiry. Apprehending arrest, this petition is filed.

4.Learned Government Advocate also submitted that when the petitioner's name is not specifically mentioned, there is no need to grant anticipatory bail.



5. It is seen from the submission of learned Government Advocate that till now there is no material collected against the petitioner implicating him with the offence alleged in the first information report. Petitioner is driver working in the Government department and apprehends arrest because of enquiry call. Thus, 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 their appearance, within a period of seven days from the date of receipt of a copy of this order, before the Learned VII Metropolitan Magistrate, George Town, Chennai, 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 his 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.

WEB COPY

-sd/-

05/05/2022

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 VII METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI.

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

3 THE INSPECTOR OF POLICE
B1, NORTH BEACH POLICE STATION,
CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.M.RAGHURAM Advocate on payment of necessary charges SR.No.6743

CRL OP.10709/2022

Date :05/05/2022

CSK 09/05/2022