



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.10736 of 2022

RAMESH

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
CSCID POLICE STATION,
SALEM.
CRIME NO.52 OF 2022.

[RESPONDENT]

For Petitioner : M/S. S.SENTHILVEL Advocate

For Respondent : MR.N.S.SUGANTHAN, Government 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 6(3) of TNSC (RDCS) Order 1982 r/w 7(1)(a)(ii) of EC Act, 1955 and Section 403, 408 of IPC in Crime No.52 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

3. The case of the prosecution is that the the petitioner, who is the incharge of 07AA033PN, Ichipalayam fare prices, when it was inspected on 17.03.2022 by the Sub Registrar, it was found that stock worth Rs.1,62,200/- was found missing.

4. Learned counsel for the petitioner submitted that petitioner is innocent and he prefers to deposit the amount in the Court.



4. Considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioner on the following conditions:

i) the petitioner shall deposit a sum of Rs.1,62,200/- to the credit of Crime No.52 of 2022 before the concerned Court.

ii) The learned Judge is directed to pass appropriate orders on the conclusion of the trial with regard to the amount deposited.

5. 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 Court-II, Salem, 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 deposit a sum of Rs.1,62,200/- (Rupees One Lakh Sixty Two Thousand Two Hundred) to the credit of Crime No.52 of 2022, before the concerned Magistrate;

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

(d) the petitioner shall report before the Investigating Officer daily at 10.30.a.m., until further orders;

(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 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;



(g) 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 JUDICIAL MAGISTRATE,
NO.II, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
CSCID POLICE STATION,
SALEM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. S.SENTHILVEL Advocate on payment of necessary charges SR.NO. 6798

CRL OP.10736/2022

Date :05/05/2022

RW 11/05/2022