



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.10742 of 2022

RASU @ UMAPATHY

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
VELLORE TALUK POLICE STATION,
VELLORE.
(CR.NO.80/2022)

[RESPONDENT]

For Petitioner : M/S. ILAYARAJA KANDASAMY 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 Sections 147, 341, 294(b), 506(ii) IPC and 3 of TNPPDL Act, 1992 in Crime No.80 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 petitioner along with four others have wrongly restrained the vehicle bearing Registration No.PY 01 A 7313 and broken the wind screen, due to previous enmity. The occurrence has taken place on 18.03.2022 at 11.00 p.m., though no one were injured.

4. Learned counsel appearing for the petitioner would submit that the petitioner is arrayed as A3 and would further submit that the co-accused were granted anticipatory bail in Crl.O.P.Nos.8315, 1507 and 161 of 2022 dated 01.04.2022. Hence, he pleads for grant of anticipatory bail to the petitioner.



5. Taking into consideration the allegations in the FIR and the fact that the co-accused have been granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner.

WEB COPY

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-I, Vellore, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 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.

-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.



1 THE JUDICIAL MAGISTRATE,
NO.I, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VELLORE TALUK POLICE STATION,
VELLORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. ILAYARAJA KANDASAMY Advocate on payment of
necessary charges SR.No.6772

CRL OP.10742/2022

Date :05/05/2022

CSK 11/05/2022