



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twelfth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.10886 of 2022

CHINNADURAI @ RAJARAM

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR O POLICE STATION,
G-7, ACHARAPAKKAM POLICE STATION,
ACHARAPAKKAM, CHENGALPATTU DISTRICT.
(CR.NO.154 OF 2022)

[RESPONDENT]

For Petitioner : M/S.L.RAMU Advocate

For Respondent : MR.S.SUGENDRAN, Additional Public Prosecutor

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 294(b), 324, 506(ii) and 379 IPC in Crime No.154 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 02.05.2022, the defacto complainant travelled in the petitioner's auto. The petitioner herein had dropped the defacto complainant in her home and demanded auto charge but initially, the defacto complainant refused to pay the same and paid later. Subsequently, the defacto complainant contacted the petitioner over phone and abused him in filthy language. Thereafter, the petitioner went to the defacto complainant's house and took the TV from the defacto complainant's house, by threatening him. Hence, the case has been registered against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the alleged theft of TV has been handed over to the de-facto complainant. Hence, he pleads for anticipatory bail.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that investigation almost completed.

5. Considering the facts of the case and the alleged theft of TV has been handed over to the de-facto complainant, 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 fifteen days from the date of receipt of a copy of this order, before the Learned Judicial Magistrate, Madhuranthakam on condition that the petitioner shall execute his own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) 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 shall affix his photograph and left thumb impression in the surety bond and the Court concerned may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

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

(c) the petitioner shall report before the respondent police 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.

-sd/-

12/05/2022

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,
MADHURANTHAKAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR O POLICE STATION,
G-7, ACHARAPAKKAM POLICE STATION,
ACHARAPAKKAM, CHENGALPATTU DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.L.RAMU Advocate on payment of necessary charges
SR.No.7011

CRL OP.10886/2022

Date :12/05/2022

CSK 13/05/2022