



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.10947 of 2022

AYAZ AHMED

[PETITIONER / ACCUSED]

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
RATHINAGIRI POLICE STATION,
RANIPET DISTRICT.
CRIME NO.276/2021

[RESPONDENT]

For Petitioner : M/S.T.SARAVANAN Advocate

For Respondent : M/S.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 at the hands of the respondent police for the alleged offence under section **379 of IPC** in Crime No.276 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. There are totally six accused in this case and the petitioner is arrayed as A6. The case of the prosecution is that the petitioner along with other accused had committed theft of a vehicle bearing Registration No.TN-25-BA-1458, which belongs to the de-facto complainant.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he pleads for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that in this case, A1 and A4 were arrested and released on bail; A2 and A3 were also granted anticipatory bail and A5 was absconded. He would



further submit that based on the confession statement of A1, the petitioner/A6 has been implicated in this case and the stolen property has been recovered from A1.

5. Considering the facts and circumstances of the case and also taking note of the fact that the stolen property has been recovered, the custodial interrogation of the petitioner is not necessary and hence, 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 District Munsif-cum-Judicial Magistrate, Arcot**, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- only (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 not tamper with evidence or witness either during investigation or trial;

(c) **the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter, 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/-

11/05/2022

WEB COPY

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 MUNSIF CUM JUDICIAL MAGISTRATE,
ARCOT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
RATHINAGIRI POLICE STATION,
RANIPET DISTRICT.

+1 CC to M/S.T.SARAVANAN Advocate on payment of necessary
charges SR.NO.7018

CRL OP.10947/2022

Date :11/05/2022

TA-13/05/2022