



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.11072 of 2022

SANKAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
THIRUPPATHUR TALUK POLICE STATION,
THIRUPPATHUR DISTRICT
CRIME NO.78 OF 2022

[RESPONDENT]

For Petitioner : M/S E.KANNADASAN Advocate

For Respondent : MR.S.UDAYA KUMAR, 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 at the hands of the respondent police for the alleged offence punishable under Sections 419, 420 IPC r/w. Section 15(3) of Indian Medical Council Act, 1956, in Crime No.78 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The petitioner fearing arrest by the respondent Police is before this Court seeking anticipatory bail. The case of the prosecution is that the petitioner herein is A3/Auto driver who took the pregnant ladies to A1 and A2, and by using portable Scan Machine, they informed the sex of the fetus and also doing abortion. Hence the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is innocent person and he has been falsely implicated in this case. Hence he pleads for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (crl.side) appearing for the respondent raised objection to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 No.II, Thirupattur, on condition that the petitioner shall execute 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 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 report before the Investigating Officer as and when required for interrogation;

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

(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 have 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,
NO.II, THIRUPATTHUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIRUPPATHUR TALUK POLICE STATION,
THIRUPPATHUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S E.KANNADASAN Advocate on payment of necessary
charges SR.NO.7073

CRL OP.11072/2022

Date :12/05/2022

JPA 16/05/2022