



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.11094 of 2022

1 JAGAN @ JAGADEESHWARAN [PETITIONERS / ACCUSED]
2 SURYA PRAKASH
3 KANAGARAJ

Vs

STATE BY ITS [RESPONDENT]
THE INSPECTOR OF POLICE,
GINGEE POLICE STATION,
GINGEE, VILLUPURAM DISTRICT.
CRIME NO.204/2022.

For Petitioner : M/S.K.G.SENTHILKUMAR 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 petitioners, who apprehend arrest for the alleged offences under sections 379, 430 of IPC in Crime No.204 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have illegally transported ¼ units of river sand by using Ashok Leyland Dost vehicle bearing registration No.TN-16-E-1343 without any permit. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have not committed any such offences as alleged by the prosecution. He further submitted that they have been falsely implicated in this case. Hence, he pleads for anticipatory bail.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioners have illegally transported ¼ units of river sand without any permit. He further submitted that there is no previous case pending against the petitioners.

5. Considering the facts and circumstances of the case and also the fact that there is no previous case pending against the petitioners. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Gingee, Villupuram District** on condition that each of the petitioners shall execute a separate bond for a sum of Rs.25,000/-only (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 petitioners 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 petitioners shall not tamper with evidence or witness either during investigation or trial;

(c) **the petitioners shall report before the Investigating Officer daily at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation;**

(d) the petitioners 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 JUDICIAL MAGISTRATE,
GINGEE, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
GINGEE POLICE STATION,
GINGEE, VILLUPURAM DISTRICT.

+1 CC to M/S.K.G.SENTHILKUMAR Advocate on payment of necessary charges SR.NO.6959

CRL OP.11094/2022

Date :11/05/2022

TA-17/05/2022