



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.11163 of 2022

KALAIYARASAN

[ PETITIONER / ACCUSED ]

Vs

THE INSPECTOR OF POLICE  
THIRUNAVALLUR POLICE STATION,  
KALLAKURICHI DISTRICT.  
CRIME NO.177 OF 2022

[ RESPONDENT ]

For Petitioner : M/S.M.SUBASH Advocate

For Respondent : MR. S.UDAYAKUMAR, 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 379 of IPC in Crime No.177 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that when the respondent police was involved in regular patrol, they found that the petitioner along with other accused were involved in illegal transportation of 1/2 unit of pebble stones in the vehicle bearing Reg.No.TN-46-L-5600 without any valid permit.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he had not committed any such offences as alleged by the prosecution. He further submitted that he had been falsely implicated in this case. Hence, he pleads for anticipatory bail.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there is no previous case pending against the petitioner.



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned Judicial Magistrate at Ullundurpet, Kallakurichi District on condition that each of the petitioner shall execute a separate 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 Investigating Officer 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

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,  
ULLUNDURPET, KALLAKURICHI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE  
VILLUPURAM DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE  
THIRUNAVALLUR POLICE STATION,  
KALLAKURICHI DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1 CC to M/S.M.SUBASH Advocate on payment of necessary charges  
SR.NO. 7030

CRL OP.11163/2022

Date :11/05/2022

RW 12/05/2022