



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.11892 of 2022

SARATHY

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
T-6, AVADI POLICE STATION,
CHENNAI DISTRICT.
CRIME NO.131 OF 2022.

[RESPONDENT]

For Petitioner : M/S. S.SASIKUMAR Advocate

For Respondent : MR.A.DAMODARAN, 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 offences punishable under Section 392 of IPC, in Crime No.131 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complainant before the respondent police stated that the petitioner along with other accused persons allegedly entered into his house and robbed a sum of Rs.3000/- and cell phone at knife point. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that there are three accused persons involved in this case the petitioner is named accused in the FIR. Further, stated that all other accused persons arrested and released on bail. The petitioner involved in this case is pending before the Juvenile Justice Board. Thereafter false case foisted against the petitioner. Hence, he prays for anticipatory bail.



4. The learned Additional Public Prosecutor also confirms the release of the co-accused persons.

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

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate-II, Poonamallee, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, one among the surety shall be a blood relative of the accused, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall stay at Katpadi and report before the Katpadi Police station daily at 10.30 a.m., for a period of two weeks and thereafter report before the T6- Avadi Police Station, Chennai, 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].



[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-
19/05/2022

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,
NO.II, POONAMALLEE

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
T-6, AVADI POLICE STATION,
CHENNAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE
KATPADI POLICE STATION, KATPADI.

+1 CC to M/S. S.SASIKUMAR Advocate on payment of necessary charges SR.NO.7353

CRL OP.11892/2022

Date :19/05/2022

JPA 24/05/2022