



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.11911 of 2022

RAGUL

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ALANGAYAM POLICE STATION,
THIRUPATHUR DISTRICT.
CRIME NO.229/2021.

[RESPONDENT]

For Petitioner : M/S G.BALAMANIKANDAN 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 alleged offences punishable u/s 379 of IPC in Cr.No.229 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that A1 and the petitioner have involved in a cattle theft on 04.12.2021.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person. Learned counsel further submitted that since the vehicle viz. Scotty DIO, belonging to the petitioner, was used in the alleged occurrence, his name was implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that A1 was already arrested and released on bail. However, he vehemently opposed to grant anticipatory bail to the petitioner.



5. Considering the facts and circumstances of the case and also the fact that A1 was already arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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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 on which the order copy made ready, before the learned Judicial Magistrate No.3, Thirupathur, on condition that the petitioner shall execute a 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 appear before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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

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.



1 THE JUDICIAL MAGISTRATE,
NO.3, THIRUPATHUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ALANGAYAM POLICE STATION,
THIRUPATHUR DISTRICT.

+1 CC to M/S G.BALAMANIKANDAN Advocate on payment of necessary
charges SR.NO.7565

CRL OP.11911/2022

Date :19/05/2022

TA-25/05/2022