



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.11775 of 2022

V.BAKIYARAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
MEENSURUTTY POLICE STATION,
ARIYALUR DISTRICT.
CRIME NO.94 OF 2022.

[RESPONDENT]

For Petitioner : M/S. K.BALU 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 Sections 25(1A) of Arms Act 1959, in Crime No.94 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 08.04.2022 while the respondent police were conducting a vehicle check up at Meikaval Puthur bus stop, at that time the Bolero car bearing registration No.TN-01-AQ-9919 was proceeding towards the respondent police and on seeing the respondent police, the petitioner along with other accused persons stopped the car and ran away. Thereafter, the respondent police found sickle and knife in the said car and seized the same. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that already the anticipatory bail was granted to the petitioner in crime No. 72 of 2022 on the file of the respondent police registered for the offence under Section 147, 148, 294(b), 342, 323, 353, 307, 506(ii) of IPC and Section 3(1) of Tamil Nadu Public Property



(Prevention of Damages and Loss Act) in CrI.M.P.No.1413 of 2022 by an order dated 05.04.2022, on the same day the respondent police deliberately filed the present FIR to harass the petitioner.

4. The learned Additional Public Prosecutor would submit that the respondent police seized the sickle and knife in the petitioner car.

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, Jayamkondam, Ariyalur District, 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 appear before the respondent police daily at 10.30 a.m., for a period of two 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 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, JAYAMKONDAM, ARIYALUR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MEENSURUTTY POLICE STATION,
ARIYALUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. K.BALU Advocate on payment of necessary charges
SR.NO.7316

CRL OP.11775/2022

Date :19/05/2022

JPA 24/05/2022