



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.12244 of 2022

MESHAK

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
PULLARAMBAKKAM POLICE STATION,
TIRUVALLUR DISTRICT.
(CRIME NO. 8/2022)

[RESPONDENT]

For Petitioner : M/S.D.MAGESH 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 448, 427 and 506(2) of IPC in Crime No.8 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had demolished the defacto complainant's hut and constructed pillars in the place. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is ready to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.8 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the the petitioner had demolished the hut of the defacto complainant and constructed the pillars illegally and hence, he opposed for grant of anticipatory bail to the petitioner.



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

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6. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.8 of 2022, within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.1, Tiruvallur on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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, 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 deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.8 of 2022,, before the concerned Magistrate, within a period of four weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] 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.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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].



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

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-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.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, TIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PULLARAMBAKKAM POLICE STATION,
TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.D.MAGESH Advocate on payment of necessary charges
SR.No.7580

CRL OP.12244/2022

Date :19/05/2022

CSK 25/05/2022