



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12564 of 2022

VIGNESH PRIYA

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY ITS,
THE INSPECTOR OF POLICE,
KRISHNAPURAM POLICE STATION,
DHARMAPURI DISTRICT
CRIME NO.128 OF 2019.

[RESPONDENT]

For Petitioner : M/S. C.IYYAPARAJ Advocate

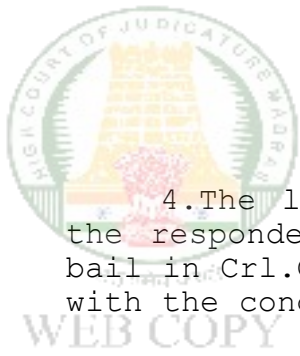
For Respondent : MR. C.E.PRATAP, Govt. Advocate (Crl. Side)

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 306 of IPC, in Crime No.128 of 2019, on the file of the respondent police, seek anticipatory bail.

2.The learned counsel appearing for the petitioner submitted that this is the second anticipatory bail petition and the petitioner was earlier granted anticipatory bail in Crl.O.P.No.24588 of 2019 on 12.09.2019. The petitioner ought to have complied with the conditions of the anticipatory bail within 15 days from the date of receipt of the order copy. The petitioner had received the order copy on 20.09.2021. Thereafter, due to covid pandemic and the disturbance in his family, the petitioner is unable to execute the sureties. Hence, the present petition seeking anticipatory bail.



4.The learned Government Advocate (Criminal Side) appearing for the respondent submits that the petitioner was granted anticipatory bail in Crl.O.P.No.24588 of 2019 on 12.09.2019 and he has not complied with the conditions imposed.

5.Heard the submissions made by the learned Counsel appearing for the petitioners and the learned Government Advocate (crl.side) appearing for the respondent.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner on the same terms and conditions imposed in the earlier order of this Court.

7.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 II, Dharmapuri, 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 petitions for anticipatory bail shall 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m. and 05.30 p.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]; and;



(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
26/05/2022

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.II, DHARMAPURI.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
KRISHNAPURAM POLICE STATION,
DHARMAPURI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. C.IYYAPARAJ Advocate on payment of necessary charges SR.NO. 7911

CRL OP.12564/2022

Date :26/05/2022

RW-01/06/2022