



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.12533 of 2022

R.ASHOK

[ PETITIONER / ACCUSED ]

Vs

STATE REP BY  
THE INSPECTOR OF POLICE,  
KANIYUR POLICE STATION,  
TIRUPPUR DISTRICT.  
(CRIME NO.92 OF 2022)

[ RESPONDENT ]

For Petitioner : M/S.R.BABU 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 offence under section 380 of IPC, in Crime No.92 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner stolen the two trolleys kept in the house of the defacto complainant. Hence, the complaint.

3. According to the petitioner/A1, he along with another person carried out interior work in the house of the defacto complainant. At that time, there was some dispute between the defacto complainant and the petitioner with regard to the bill payment for the interior work and that the defacto complainant also retained some amount for GST. The petitioner had taken back two trolleys used for the purpose of interior work, which is now projected as theft.

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



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

WEB COPY

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 of receipt of a copy of this order, before the learned District Munsif Court cum Judicial Magistrate, Madathukulam 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 learned District Munsif Court cum Judicial Magistrate, Madathukulam 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 as and when required.

(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.

-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 DISTRICT MUNSIF COURT CUM JUDICIAL MAGISTRATE,  
MADUTHUKULAM, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUPPUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
KANIYUR POLICE STATION,  
TIRUPPUR DISTRICT.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S.R.BABU Advocate on payment of necessary charges  
SR.No.7966

CRL OP.12533/2022

Date :26/05/2022

CSK 27/05/2022