



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Seventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12757 of 2022

APPU @ NARASIMMAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
VELLAVEDU POLICE STATION,
TIRUVALLUR DISTRICT.
CRIME NO.105 OF 2022.

[RESPONDENT]

For Petitioner : M/S. P.MUTHUKUMARASAMY Advocate

For Respondent : MR.C.E.PRATAP, Govt. Advocate (Crl. Side)
Assistant by M/S.R.S.NIRANJAN, Public Prosecutor

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 380 and 511 of IPC, in Crime No.105 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 24.03.2022, two accused had attempted to steal the iron articles from the defacto complainant's land and the defacto complainant had caught hold one of the accused with the help of neighbours. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and would pray for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner along with other accused attempted to steal the iron articles from the defacto complainant's land.



5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

6. Considering the facts and circumstances of the case and the submissions of both the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner.

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, Poonamallee, on conditions 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 be 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. 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.

-sd/-
27/05/2022

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, POONAMALLEE

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

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

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. P.MUTHUKUMARASAMY Advocate on payment of necessary charges SR.NO.8081

CRL OP.12757/2022

Date :27/05/2022

JPA 01/06/2022