



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Thirteenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13592 of 2022

CHINNARASU

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
S6, SANKAR NAGAR POLICE STATION,
CHENNAI DISTRICT
(CRIME NO.176 OF 2022)

[RESPONDENT]

For Petitioner : M/S D.ALEXIS SUDHAKAR 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 Section 436 of IPC, in Crime No.176 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution, with an intention to cause damage to the go-down of the defacto complainant, the petitioner and other accused have set fire to the go-down of the defacto complainant. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent persons and he has not committed any offence as alleged by the prosecution. He further submits that the co-accused A1 was already released on bail by the learned Principal District Sessions Judge, Chengalpattu. Therefore, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor would submit that the petitioner and other accused have set fire to the go-down of the defacto complainant. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and also considering the fact that the co-accused was released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner are 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 No.II, Tambaram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 report before the respondent police daily twice at 10.30 a.m and 5.30 p.m., for a period of four 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
13/06/2022

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, TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
S6, SANKAR NAGAR POLICE STATION,
CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S D.ALEXIS SUDHAKAR Advocate on payment of necessary charges SR.NO.8943

CRL OP.13592/2022

Date :13/06/2022

JPA 16/06/2022