



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Tuesday, the Fourteenth day of June Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN
CRIMINAL ORIGINAL PETITION No.13599 of 2022

ARUN @ ARUN PANDIAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
POOMPUHAR POLICE STATION,
NAGAPATTINAM DISTRICT
(CRIME NO.153/2012)

[RESPONDENT]

For Petitioner : M/S.K.VIVEKANANDHAN Advocate

For Respondent : M/S. A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

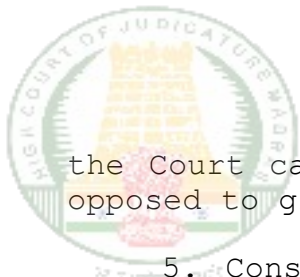
ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120-B, 147, 148, 341, 302, 506 (ii) IPC, 3 and 4 of Explosive Substance Act, 1908 r/w 149 and 109 IPC in S.C.No.93 of 2018, seeks anticipatory bail.

2. The petitioner was already granted bail in the present case. Thereafter, appeared before the Trial Court. There are 10 accused in this and the petitioner is arrayed as sixth accused. However, the petitioner was absent before the Trial Court on 31.03.2022 and on such, a Non Bailable Warrant was issued against the petitioner and subsequently, the bail bond was cancelled. Hence, this petition.

3. The learned counsel appearing for the petitioner would submit that the petitioner was regularly appearing before the Trial Court, unfortunately on 31.03.2022, he was absent owing to his illness and further iterated that he is ready and willing to appearing for further hearing and hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner was not attending the Trial Court regularly and hence,



the Court cancelled the bail bond for the default reason. Hence, he opposed to grant anticipatory bail to the petitioner.

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

6. Accordingly, the petitioner is 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 Additional District Court, Mayiladuthurai, Nagapattinam District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

14/06/2022

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.



1 THE ADDITIONAL DISTRICT COURT,
MAYILADUTHURAI, NAGAPATTINAM DISTRICT.

2 INSPECTOR OF POLICE,
POOMPUHAR POLICE STATION,
NAGAPATTINAM DISTRICT

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.K.VIVEKANANDHAN Advocate on payment of necessary
charges Sr.9023

CRL OP.13599/2022

Date :14/06/2022

RVR 20/06/2022