



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Seventeenth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13943 of 2022

SENTHIL @ SENTHIL KUMAR

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP BY ITS  
THE INSPECTOR OF POLICE,  
UDUMALPET POLICE STATION,  
TIRUPPUR DISTRICT.  
(CRIME NO.280 OF 2022)

[ RESPONDENT ]

For Petitioner : M/S.K.MYILSAMY 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 alleged offence under 420 of IPC in Crime No.280 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that petitioner along with other accused persons stated to the de facto complainant that they have high value of iridium and canvassed, it will enrich the wealth of a person. Believing this the de facto complainant agreed to purchase the metal and gave sum of Rs.2,00,000/- to the accused. After receiving the money, the accused persons had not handed over the iridium to the de facto complainant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence. A false complaint was foisted as against the petitioner and the defacto complainant committed an offence of extortion. Hence, he seeks anticipatory bail.



4. The learned Government Advocate (Crl. Side) appearing for the respondent police vehemently opposed to grant anticipatory bail to the petitioner.

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5. It is submitted that there are four accused persons in this case. The petitioner is arrayed as A2 who was arrested and remanded to judicial custody on 24.05.2022. Anticipatory bail was granted to A3 with direction to deposit the entire amount which was received from the defacto complainant.

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

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 No.1 at Udumalpet, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood 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 blood 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 morning 10.30 a.m. and evening 5.30 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].



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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-sd/-

17/06/2022

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.

TO

1 THE JUDICIAL MAGISTRATE,  
NO.1, UDUMALPET.

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUPPUR [FOR INFORMATION]

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

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S.K.MYILSAMY Advocate on payment of necessary charges  
SR.No.9471

CRL OP.13943/2022

Date :17/06/2022

CSK 22/06/2022