



IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Tuesday, the Twenty Eighth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.14818 of 2022

MANIKANDAN

[ PETITIONER / ACCUSED ]

Vs

THE STATE REPRESENTED BY  
THE INSPECTOR OF POLICE,  
NOLAMBUR POLICE STATION,  
ANNA NAGAR, CHENNAI  
( CR.NO.250 OF 2022)

[ RESPONDENT ]

For Petitioner : M/S.D.JAYAPRIYA 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 for the alleged offence under Sections 406, 420 IPC in Crime No.250 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. There are totally three accused in this case. The case of the prosecution is that the defacto complainant and the petitioners are friends. The petitioner along with other accused persons is alleged to have taken away the defacto complainant's mobile phone and demanded Rs.1,000/- by stating that the defacto complainant has obtained loan for the said amount and later returned the mobile phone to the defacto complainant's mother after receiving the demanded amount. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution. The defacto complainant has already obtained loan for a sum of Rs.1,000/- from the petitioner and refused to return the amount. Hence, he prays to grant anticipatory bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner along with other accused persons has taken away the defacto complainant's mobile phone and demanded Rs.1,000/-. Hence, he opposed to grant anticipatory bail to the petitioner.

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

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 on which the order copy made ready, before the learned Judicial Magistrate, Ambattur 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 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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

WEB COPY

-sd/-

28/06/2022

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,  
AMBATTUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
NOLAMBUR POLICE STATION,  
ANNA NAGAR, CHENNAI.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S.D.JAYAPRIYA Advocate on payment of necessary charges

CRL OP.14818/2022

Date :28/06/2022

CSK 06/07/2022