



CRL OP NO. 169 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21-01-2025**

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 169 of 2025

Shanmuga Vetrivel,
Son Of Vijayakumar, 1/11a, North Street, Vengalam, Rishivandiyam,
Villupuram District.

Petitioner(s)

Vs

The State Rep. By, The Inspector Of Police
Rishivandiyam Police Station, Kallakurichi District.
(Crime No.337 of 2024)

Respondent(s)

For Petitioner(s): Mr. M.Raja, Mr. M.Venkatesh, Mr. M.Chinnarasu

For Respondent(s): Mr. S.Santhosh, Government Advocate (Criminal Side).

ORDER

The petitioner/A6, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 309(4) of I.P.C., in Crime No.337 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant purchased a Yamaha Bike from the petitioner without proper documents by giving an amount of Rs.19,000/-. When the de-facto complainant requested the RC book

and other relevant documents of the bike, the petitioner, along with the other



accused, assaulted, threatened him and thereby cheated the de-facto complainant. Hence, this case.

WEB COPY

3. Learned counsel for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case, solely based on the confession statement given by the main accused. The petitioner has no way connection with the offences as alleged by the prosecution except being present at the scene. Further, he submits that the co-accused was arrested and remains in jail with 10 previous cases pending against him. The petitioner had no role took place in this case and he has no bad antecedents. Therefore, he prays that anticipatory bail be granted to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police opposed for granting anticipatory bail to the petitioner, stating that based on instructions of A7, under the guise of handing over the RC book, and another bike instead of Yamaha bike, the petitioner and the other accused took him and assaulted the de-facto complainant. The A1 and A6 snatched the bike and Rs.19,000/- from the de-facto complainant. The accused/A7 is the main accused, having 10 pervious cases, who has also been arrested and is still

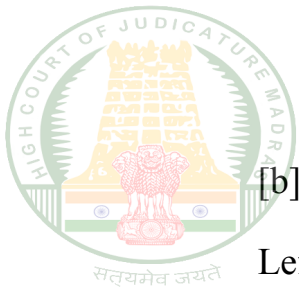


in jail. Further, he submitted that the bike and the cheated amount were recovered. The petitioner has no previous case.

WEB COPY

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, and considering the nature of the offence charged against the petitioner and also taking note of the fact that the main accused/A7 has been arrested and the properties were seized, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and 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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Thirukoilur**, on condition that the petitioner shall execute separate 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically



WEB COPY

[b] 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;

[c] the petitioner shall report before the respondent Police on daily at 06:30 a.m until further orders;

[d] the petitioner shall not tamper with evidence or witness either during the investigation or during the trial;

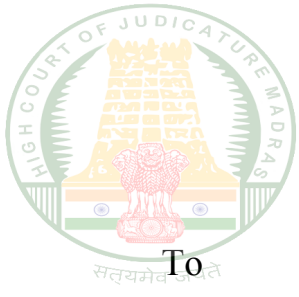
[e] the petitioner shall not abscond either during the investigation or during the trial;

[f] 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 were 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];

[g] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

21-01-2025

klIt



To

WEB COPY

1. The State Rep. By, The Inspector Of Police
Rishivandiyam Police Station, Kallakurichi District.



WEB COPY



A.D. JAGADISH CHANDIRA, J.

klr

CRL.OP. No.169 of 2025

21-01-2025