



CRL OP NO. 1420 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 1420 of 2025

Chetan Kumar

S/o.Bhamarji, Bus stand ke pas doniyo ki gali, Rewatra, Jalor,
Rajasthan-343001. and 3 Others

Petitioner(s)

Vs

The State Rep by

The Inspector of Police, C-5 Kothavalchavadi Police Station
Chennai, (C.C.No.1653 of 2014)

Respondent(s)

For Petitioner(s):

Vikramkumar P

For Respondent(s):

S.Santhosh

Government Advocate (criminal Side)

Madras High Court.

ORDER

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 380 r/w 34 of the Indian Penal Code in Crime No.1653 of 2014, on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners would submit that the petitioners were working as contract labours at Chennai during the year 2014. During that time, they were falsely



implicated in the case and they are now working as a contract labour in local company in Hyderabad. He further submitted that as there was miscommunication between their Advocate and the petitioners, the petitioners were unable to appear before the Trial

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Court on 08.05.2023, thereby, the Trial Court has issued a Non Bailable Warrant of arrest against him and on coming to know about the issuance of NBW, the present petition is filed. He also submitted that that the petitioners will appear before the Trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the trial. He further submitted that the petitioners' relatives are residing at Chennai and they are ready to stand as sureties. Hence, he prayed for grant of anticipatory bail to the petitioners.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners, who are facing trial in C.C.No.1653 of 2014 pending on the file of the learned VII Metropolitan Magistrate, George Town, Chennai in connected to a case in Crime No.124 of 2014 for the offences under Section 380 r/w 34 of the Indian Penal Code, has failed to appear before the trial Court on 08.05.2023, thereby, the Trial Judge has issued a Non-Bailable Warrant of arrest against them. He further submitted that the case now stands posted on 03.02.2025, hence, he opposed for the grant of anticipatory bail to the petitioners.

4. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.



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Side) appearing for the respondent police and perused the materials available including the FIR.

5. Accordingly, the petitioners 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 VIII Metropolitan Magistrate, George Town, Chennai** on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each with two sureties (out of which, one surety shall be a blood surety)** for a like sum 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 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 petitioners shall appear before the learned Judicial VIII Metropolitan Magistrate, George Town, Chennai, on all working days at 10.30 a.m., for a period of two weeks and thereafter, on the dates fixed by the learned Trial Judge;

[c] the petitioners shall not abscond during trial and shall co-operate for



[d] the petitioners shall not tamper with evidence or witness during 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 absconds, a fresh FIR can be registered under
Section 269 of B.N.S.

22-01-2025

msv
To

The Inspector of Police,
C-5 Kothavalchavadi Police Station
Chennai,