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Crl.O.P.No.32704 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21-01-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 32704 of 2024

S.Vethantham

Petitioner

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Arcot Police Station,
Ranipet District.
STC. No. 567 of 2021

Respondent

For Petitioner:

Mr.S.A.Secular

For Respondent:

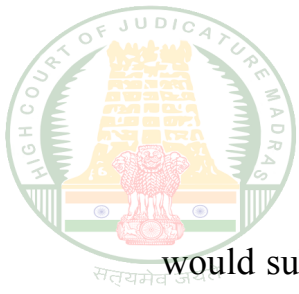
Mr.S.Santhosh

Government Advocate (Crl.Side)

ORDER

Apprehending arrest in pursuant to a Non-Bailable warrant issued against the petitioner in STC.No.567 of 2021 on the file of the District Munsiff cum Judicial Magistrate, Arcot, Ranipet District, seeks anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He



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would submit that the trial in STC No.567 of 2021 is pending on the file of the District Munsiff cum Judicial Magistrate, Arcot, Ranipet District for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881. He would submit that, though it is a bailable offence, the Trial Court has issued NBW of arrest against the petitioner on 23.05.2023, thereby he would seek for anticipatory bail apprehending arrest. He would submit that the petitioner is ready to surrender before the concerned Court and file an application for recalling of warrant. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail is that, no warrant is pending before the respondent police.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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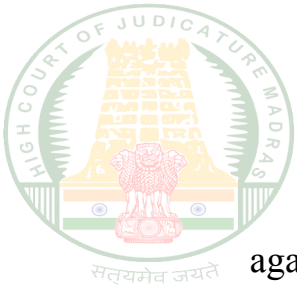
5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **District Munsiff cum Judicial Magistrate, Arcot, Ranipet District**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 shall surrender before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of this order and the petitioner shall file an affidavit of undertaking that he will co-operate for speedy disposal of the Trial in STC.No.567 of 2021 and shall also file an application seeking for re-call of warrant;**

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

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

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action



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against the petitioner in accordance with law as if the conditions

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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]**;

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

21.01.2025

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