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Crl.O.P.No.32160 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **24-01-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 32160 of 2024

Selvaraju

Petitioner(s)

Vs

The State represented by,

The Inspector of Police,
Sadras Police Station.

Crime No.281 of 2024

Respondent(s)

For Petitioner(s):

M/s.S.Padma

For Respondent(s):

Mr.S.Santhosh

Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.281 of 2024 registered for the offences punishable under Sections 406 and 420 of Indian Penal Code, 1860, the present petition has been filed seeking 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.



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She would submit that the petitioner is only a lorry driver, other than that, he has not committed any offence. She would submit that the co-accused/A-2 has been granted anticipatory bail by this Court in Crl.O.P.No.27330 of 2024 vide order dated 09.12.2024. She would submit that based on the confession statement of the co-accused, the petitioner has been added as an accused in this case. She 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, one Sathish Kumar/A-1 got acquaintance with the defacto complainant, had hired lorries belonging to the defacto complainant and others. Later, he neither paid the rental amount nor returned the lorries. He further submitted that the arrested accused had confessed that the lorries had been entrusted to the petitioner. He also submitted that the investigation is pending.

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



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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 **Judicial Magistrate Court, Thirukazhukundram**, 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] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday at 10.30 a.m., until further orders;

[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;



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[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 269 of B.N.S.

24.01.2025

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