



CRL OP NO. 32339 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-01-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 32339 of 2024

Stanly Mon.R.T.
S/o.Thangachan.O, Raju Bhavan, Paruthiyara, Odanavattom,
Veliyam Village, Kollam, Kerala - 691512.

Petitioner

Vs

The Inspector Of Police
Ketti Police Station, Nilgiri District, Pin-643215.

Crime No.46 of 2024

Respondent

For Petitioner(s) : Suresh Joseph

For Respondent(s) : S.Santhosh
Government Advocate (criminal Side),
For Intervenor : Mr.Kandasamy

ORDER

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 448, 419 and 420 IPC in Crime No.46 of 2024 on the file of the respondent Police, seeks anticipatory bail.



2. The case of the prosecution is that the residents of Attukollai in Yellanaha had approached the District Collector to take action against Needle Industries Private Limited, which is located in close proximity to the village residents, since the chemical vapour from the cooling tower were adversely impacting the health of many village residents and was also polluting the area and the residents had also approached the Tamil Nadu Pollution Control Board. On 19.06.2024, the residents had also approached the National Public Grievance and Redressal Commission, New Delhi (hereinafter referred to as 'NPGRC') and on 25.06.2024, NPGRC had sent an E-mail without attaching the complaint to the petitioner. Thereafter, on 27.06.2024, the petitioner and his team illegally trespassed into the premises of the defacto complainant claiming to be the officials of NPGRC, had conducted inspection, took certain confidential documents under force and had threatened and demanded to the tune of Rs.1.60 crores. The document produced by the petitioner and his team in respect of nomination and appointment by NPGRC is bogus.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel appearing for the petitioner seeks indulgence of this court. He would submit that the petitioner is an Engineering Graduate and social worker. The petitioner had applied to NPGRC, which is registered under Ministry of Social Justice and Empowerment and the petitioner has been nominated as the Director of South Zone and based on his nomination, he



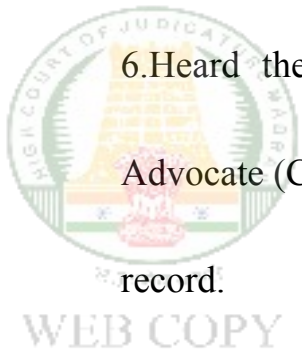
had inspected the premises of the defacto complainant whereas a false complaint had been foisted against him as if the petitioner had demanded Rs.160 crores and taken away the confidential documents. He would further submit that the major part of the investigation is

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over and the document furnished by the petitioner is genuine and he is ready to abide by any stringent condition that may be imposed by this court. He would also submit that if the petitioner and his team members are found to be bogus, the anticipatory bail granted to him be cancelled.

4.The case of the prosecution as putforth by the learned Government Advocate(Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioner, who claims to be NGO and nominated by NPGRC, had trespassed into the premises of the defacto complainant and without any authority, had taken away the documents and threatened him and had also demanded Rs.1.60 crores.

5.The learned counsel appearing for the intervenor vehemently opposed for the grant of anticipatory bail to the petitioner on the ground that the investigation is at the preliminary stage and if the anticipatory bail is granted, it shall seriously affect the progress of the investigation.



6. Heard the learned counsel appearing for the petitioner and the learned Advocate (Criminal Side) appearing for the respondent and perused the materials available on record.

7. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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, Coonoor, Nilgiris District**, on condition that the petitioner shall execute a 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 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.

<https://www.mhc.tn.gov.in/judis> [b] **the petitioner shall report before the respondent police everyday at**



10.30 a.m., until further orders.



[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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[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 absconds, a fresh FIR can be registered under Section 269 of B.N.S.

29.01.2025

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To

- 1.The Judicial Magistrate, Coonoor, Nilgiris District.
- 2.The Inspector of Police, Ketti Police Station, Niligiri District.
- 3.The Public Prosecutor, High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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