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Crl.O.P.No.32666 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. 32666 of 2024

Sekar

Petitioner

Vs

The State rep. by:

The Inspector of Police,
District Crime Branch,

Cuddalore.

(Crime No.17 of 2020)

Respondent

For Petitioner:

Mr.P.Thirumalaivasan

For Respondent:

Mr.S.Santhosh

Government Advocate (Crl.Side)

ORDER

Apprehending arrest in pursuant to a Non-Bailable warrant issued against the petitioner in C.C.No.225 of 2021 on the file of the Judicial Magistrate No.1, Virudhachalam, 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 would submit that a case was registered against the petitioner in Crime No.17 of



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2020, for the offences punishable under Sections 420 and 506(i) of IPC. He would submit that the trial in C.C.No.225 of 2021 is pending on the file of the Judicial Magistrate No.1, Virudhachalam, in Crime No.20 of 2020. He would submit that without issuing summons, the Trial Court has issued NBW of arrest against the petitioner on 17.11.2022, 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 re-calling 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 putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail is that, the petitioner has not appeared before the learned Judicial Magistrate-I, Virudhachalam, on 17.11.2022, therefore, the Trial Court has issued Non-Bailable Warrant against the petitioner on the same day.

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 **Judicial Magistrate No.1, Virudhchalam**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with two sureties, out of which, **one must be a blood related surety**, 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 report before the concerned **Magistrate everyday at 10.30 a.m for a period of two weeks and thereafter, on the dates to be fixed by the learned Judge and the petitioner shall file an affidavit of undertaking that he will co-operate for speedy disposal of the Trial in C.C.No.225 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;

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[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 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]**;

[e] 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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