



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twelfth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2208 of 2019

ARIHARA SUTHAKAR

... SOLE PETITIONER/ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
TENKASI POLICE STATION,
TIRUNELVELI DISTRICT.
(CR.NO.61/2019)

... RESPONDENT/COMPLAINANT

For Petitioner : MR.B.ANANDAN, Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 229 (A) of I.P.C. in Crime No.61 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that in an earlier occasion, this Court granted bail to the petitioner with certain conditions, in which, condition No (f) reads as follows:

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

3.Since the petitioner did not comply with the conditions imposed by this Court and thereafter has absconded, a fresh FIR has been filed as against the petitioner under Section 229 - A IPC.

4.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. Due to ill-health of the petitioner, he did not appear before the trial Court.

5.The learned Government Advocate (Crl.Side) appearing for the State would submit that the petitioner violated the conditions imposed by this Court and the case has been registered against the petitioner under Section 229 A IPC for his non appearance.



6. Considering the facts and circumstances of the case, 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Tenkasi, on condition that the petitioner shall execute a 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 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 learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the trial Court daily 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;

(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 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]**; and;

(f) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/02/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, TENKASI,
TIRUNELVELI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT



3 THE INSPECTOR OF POLICE
TENKASI POLICE STATION,
TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to MR.B.ANANDAN, Advocate SR.No.2935

ORDER
IN
CRL OP (MD) No.2208 of 2019
Date :12/02/2019

MM
PK/PN/SAR-1/18.02.2019 : 3P/6C