



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

Thursday, the Eleventh day of April Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.DHANDAPANI**

**CRL OP(MD) No.5469 of 2019**

MUNIYANDI

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY ITS,  
THE INSPECTOR OF POLICE,  
EMANESWARAM POLICE STATION,  
RAMANATHAPURAM DISTRICT.  
(CRIME NO. 52 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.S.JEYAKARTHIK Advocate

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

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

ORDER : The Court Made the following order :-

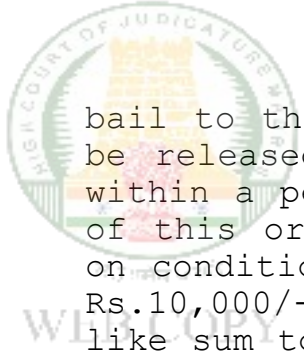
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 25(1)(a) of Arms Act in Cr.No.52 of 2019 on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that on 21.03.2019, when the respondent police conducted a vehicle check up along with his parties, the accused person had possessed one aruval, thereby, the defacto complainant lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and the petitioner is doing agricultural work.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that there is no previous case pending against the petitioner.

5.Considering the facts and circumstances of the case and considering the fact that there is no serious offence alleged against the petitioner, this Court is inclined to grant anticipatory



bail to the petitioner. 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Paramakudi, 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 respondent police 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 petitioner in accordance with law as if the conditions have been imposed and the petitioners 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
11/04/2019

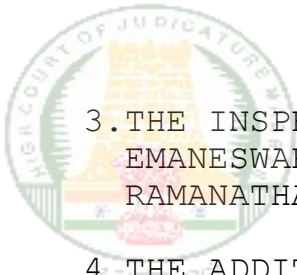
/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE  
PARAMAKUDI, RAMANATHAPURAM DISTRICT.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.



3. THE INSPECTOR OF POLICE  
EMANESWARAM POLICE STATION,  
RAMANATHAPURAM DISTRICT.

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

+1. CC to MR.M.S.JEYAKARTHIK Advocate SR.No.6660

ORDER

IN

CRL OP (MD) No.5469 of 2019

Date :11/04/2019

AE/PN/SAR-II/22.04.2019/3P/6C