



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

Wednesday, the Twenty Third day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.596 of 2019

GOVINDHAN

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP.BY ITS,
THE INSPECTOR OF POLICE,
SATHIRAKUDI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CR.NO.3/2019)

... RESPONDENT/COMPLAINANT

For Petitioner : MR.M.S.JEYAKARTHIK, 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, apprehending arrest at the hands of the respondent police for the offence punishable under Section 370 of IPC r/w Section 4 of Abolition of Bonded Labour Act and Section 79 of J.J.Act, in Cr.No.3 of 2019, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner have some cattles and in order to maintain his cattles, he engaged one minor namely Ayyanar aged about 14 years.

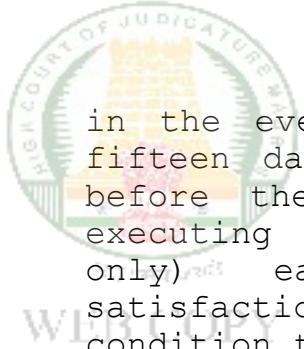
3.The learned counsel for the petitioner submits that the petitioner is innocent and he had nothing to do with the alleged crime. Hence, anticipatory bail may be granted to him.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the victim has been secured and he was sent to Government Home.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions:-

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6.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 and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that

[a] if the petitioner failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Rojavanam, Home for Aged and Poor, Account No.6481560540, Indian Bank, Madurai Bench of Madras High Court, Madurai, without prejudice to his rights and contentions.

[c] The petitioner shall report before the respondent Police for a period of two weeks and thereafter, as and when required for interrogation.

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

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
23/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI, RAMANATHAPURAM DISTRICT

<https://hcservices.ecourts.gov.in/hcservices/>

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT



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

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

COPY TO: THE OFFICER INCHARGE,
ROJAVANAM, HOME FOR AGED AND POOR,
UTHANGUDI, MELUR ROAD, MADURAI

+1. CC to MR.M.S.JEYAKARTHIK, Advocate SR.No.1306

ORDER
IN
CRL OP (MD) No.596 of 2019
Date :23/01/2019

AM
PK/PN/SAR-4/30.01.2019 : 3P/7C