



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

Thursday, the Sixteenth day of May Two Thousand and Nineteen

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PRESENT

The Hon'ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.7108 of 2019

SARAVANAN @ SARAVANAKUMAR ... PETITIONER/ ACCUSED NO.4

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
MEIGNANAPURAM POLICE STATION,
TUTICORIN DISTRICT.
(CRIME NO. 63 OF 2019)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.T.LENIN KUMAR Advocate

For Respondent : Mr.A.Robinson, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/ Accused No.4, who apprehends arrest at the hands of the respondent Police, in connection with Crime No.63 of 2019, for the offence punishable under Sections 147, 341, 294(b), 352, 506(ii) and 379 IPC, seeks anticipatory bail.

2.Heard Mr.T.Lenin Kumar, learned Counsel for the petitioner and Mr.A.Robinson, learned Government Advocate (Crl.Side) appearing for the State.

3.The case of the prosecution is that the petitioner and the defacto complainant belong to the same village and on the date of occurrence, when the defacto complainant was travelling in a motorcycle, the petitioner and other accused came in another motorcycle, waylaid him, pushed him down and kicked him and also snatched away a sum of Rs.1,00,000/- (Rupees One Lakh only) from the custody of the defacto complainant. Hence, the complaint.

4.The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and according to him, the victim has also been discharged from the hospital.



5.The learned Government Advocate (Crl. Side), on instructions from the respondent Police confirmed that the victim has been discharged from the hospital, however, a sum of Rs.1,00,000/- (Rupees One Lakh only) as alleged in the complaint has not been recovered yet.

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6.Considering the fact that the petitioner as well as the defacto complainant belong to the same village and the injured has also been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7.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 was made ready before the learned Judicial Magistrate, Sattankulam, 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 and on further conditions that:-

[a] the petitioner as well as the sureties shall submit a copy of their Aadhar card or any other identity cards issued by the Government, in proof of their address, along with the surety bonds.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders.

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

[d] the petitioner shall co-operate for the investigation and the trial. The petitioner shall not abscond either during investigation or trial and in event of the petitioner absconds, the respondent police shall register a case as provided under Section 229-A IPC.

[e] in the event of breach of any of the aforesaid conditions, the learned Magistrate / trial Court is entitled to take appropriate action against the petitioner, as per the principles laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560]**.

sd/-

16/05/2019

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

TO

1 THE JUDICIAL MAGISTRATE,
<https://hcservices.ecourts.gov.in/hcservices/>
SATTANKULAM, TUTICORIN DISTRICT.



2 -DO-THRO-THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.

3 THE INSPECTOR OF POLICE
MEIGNANAPURAM POLICE STATION,
TUTICORIN DISTRICT.

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

+1.CC to M/S.T.LENIN KUMAR Advocate SR.No.8599

ORDER

IN

CRL OP (MD) No.7108 of 2019

Date :16/05/2019

ES/JC/SAR 4/20.05.2019/3P/6C