



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

Wednesday, the Nineteenth day of June Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.7210 of 2019

MARUTHAI

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR.
IN CRIME NO. 327 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S. DEENADHAYALAN Advocate

For Respondent : Mrs.M.ANANTHA DEVI, Government Advocate (Crl.Side)

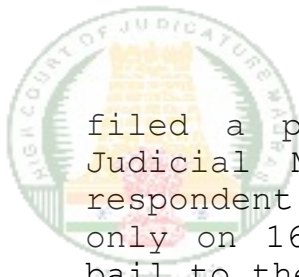
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 403, 407, 420 and 506(ii) IPC, in Crime No.327 of 2019, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner has submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioner.

3.The learned Government Advocate (Criminal Side) appearing for the respondent has submitted that the defacto complainant is the owner of the vehicle bearing registration No. TN 38 A 4242 (Air Rig Compressor) and the said vehicle was leased to the petitioner in the year 2009. The petitioner has paid the rental amount nearly for seven months. Thereafter, he did not pay the amount. Due to which, there was a wordy quarrel arose between them, the petitioner threatened the defacto complainant with dire consequences. Hence he opposed this petition.



filed a private complaint in the year 2019 before the learned Judicial Magistrate, Karur and the same was forwarded to the respondent police under Section 156(3) Cr.P.C and FIR was registered only on 16.05.2019, 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 of receipt of a copy of this order, before the learned Judicial Magistrate No. I, Karur, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioner fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall not abscond either during investigation or trial.

(v) 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 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].

(vi) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

19/06/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,

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

KARUR.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3 THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION, KARUR.

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

+1. CC to M/S.S. DEENADHAYALAN Advocate SR.No. 10042

ORDER

IN

CRL OP (MD) No.7210 of 2019

Date :19/06/2019

JM/VR/SAR 4/03.07.2019/3P/6C