



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

Thursday, the Sixteenth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.7255 of 2019

KRISHNAN,

... PETITIONER /2nd ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ATHOOR POLICE STATION,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.
(CRIME NO.15/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.SARAVANAN 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.2, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 465, 468, 471 and 120(b) IPC, in Crime.No.15 of 2019, on the file of the respondent, seeks anticipatory bail.

2.Heard Mr.M.Saravanan, 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 there was a civil dispute between the petitioner and the defacto complainant, due to which, the defacto complainant lodged a complaint before the respondent police.

4.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. As per the complaint given by the de facto complainant, the allegation made against the petitioner is purely civil in nature and there are no criminal elements



against the petitioner. Hence, he prays for anticipatory bail.

5. The learned Government Advocate (Crl Side) appearing for the respondent Police would submit that there are no bad antecedents against the petitioner.

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6. Considering the facts and circumstances of the case and also considering the nature of offence levelled against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with 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, Tiruchendur 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 as and when required.

[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.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE, TIRUCHENDUR.

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

3. THE INSPECTOR OF POLICE,
ATHOOR POLICE STATION,
THOOTHUKUDI, THOOTHUKUDI DISTRICT.

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

+1 CC to MR.M.SARAVANAN, Advocate (SR-8657[I] dated 17/05/2019)

ORDER

IN

CRL OP(MD) No.7255 of 2019

Date :16/05/2019

AE/VR/SAR-IV/ (27.05.2019) 3P 6C