



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 07/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.7855 of 2019

Pious Mathew

... Petitioner/Accused No.3

Vs

State rep.by
The Inspector of Police,
Batlagundu Police Station,
Dindigul District.
Cr.No.82 of 2019.

... Respondent/Complainant

For Petitioner : M/s.B.Senthil Kumar,
Advocate.

For Respondent : M/s.M.Anantha Devei,
Govt.Advocate (Crl.Side)

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

PRAYER :-

For anticipatory bail in Cr. No.82 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

Heard both sides.

2.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in the above case. He further submitted that, while the petitioner purchasing the Butter fruits in Kodaikonal and nearby villages on 09.03.2019, the defacto complainant demanded Rs.2 lakhs, as bribe from the petitioner. Since the petitioner did not pay the said amount, he gave a false complaint against the petitioner. He further submitted that the injured sustained only simple injuries and the injured already discharged from the hospital. Hence he prayed for grant of anticipatory bail to the petitioner.

3.The learned Government Advocate (Criminal Side) would submit that totally three accused in this case and the petitioner herein is accused No.2. The accused Nos.1 & 3 are still absconding and hence,



raised an objection to allow this petition. But, he fairly conceded that the injured sustained only simple injuries and already discharged from the hospital.

4. Taking into consideration the fact that the injured has sustained only simple injuries and also discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner by imposing condition.

[a] the petitioner is ordered to be released on bail on his executing 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 The Judicial Magistrate, Nilakottai, Dindigul District.

[b] 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 for the interrogation.

[c] the petitioner shall not abscond either during investigation or trail.

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

[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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

07/06/2019

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

TO

1. THE JUDICIAL MAGISTRATE, NILAKOTTAI,
DINDIGUL DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE INSPECTOR OF POLICE,
BATLAGUNDU POLICE STATION, DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.B.SENTHIL KUMAR Advocate SR.No.9355

ORDER IN
CRL OP(MD) No.7855 of 2019
Date :07/06/2019