



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

Date : 09/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP (MD) . No.9573 of 2019

Vignesh

... Petitioner/Accused No.3

Vs

The State represented by,
The Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
(Crimei No.97 of 2019).

... Respondent/Complainant

For Petitioner : M/s.M.Pitchai Muthu,
Advocate.

For Respondent : M/.M.ANANTHADEVI,
Government Advocate (Crl.Side)

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

PRAYER :-

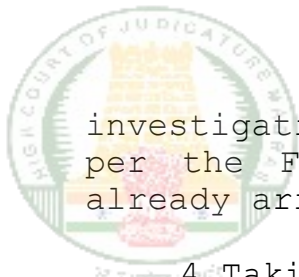
For Anticipatory Bail in Crime No. 97/2019 on the file of the Respondent police.

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 341, 294(b), 354, 352 & 506(i) of IPC in Crime No.97 of 2019, seeks anticipatory bail.

2.The learned counsel appearing for the petitioner has submitted that the petitioner is an innocent person and due to previous motive, he has been falsely implicated in this case. He further submitted that in this case, A-1 was already arrested and released on bail. Hence, he prayed for grant of anticipatory bail to the petitioner.

3.The learned Additional Public Prosecutor appearing for the respondent has submitted that the petitioner abused the defacto complainant's daughter with filthy language and also threatened her with dire consequences. Hence, he opposed this petition, as



investigation is pending. However, he fairly conceded that even as per the F.I.R, all the allegations are against A-1 and he was already arrested and released on bail.

4. Taking into consideration of the fact that even as per the F.I.R, all the allegations are against A-1 and he was already arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner by imposing certain conditions.

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 District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District on condition that the petitioner shall execute 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 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:

[a] if the petitioner fails to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[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 tamper with evidence or witness either during investigation or trial.

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

[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/-
09/07/2019

/ TRUE COPY /



TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
ORATHANADU, THANJAVUR DISTRICT

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM

3. THE INSPECTOR OF POLICE
PAPPANADU POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP (MD) No.9573 of 2019

Date : 09/07/2019

VS

PK/JC/SAR-4/18.07.2019 : 3P/5C