



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/08/2019

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.12050 of 2019

Prabhakaran,
As/o. Singaraj, Vadugapatti,
Usilampatti Taluk, Madurai District..
... Petitioner/Accused

Vs

The Inspector of Police,
Kodaikkanal Police Station,
Dindigul District Under Crime No.244 of 2019.
... Respondent/Complainant

For Petitioner : M/s. K.R. Laxman,
Advocate.
For Respondent : Ms.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

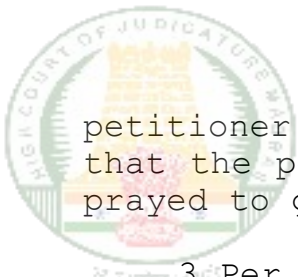
For Anticipatory Bail in Crime No. 244 of 2019 on the file of
the Respondent Police.

ORDER : The Court Made the following order :-

The petitioner/A-1, who apprehends arrest at the hands of
the respondent police for the offences punishable under Sections
147, 363, 387 and 511 of IPC in Crime No.244 of 2019, seeks
anticipatory bail.

2.Learned counsel for the petitioner has submitted that since
the petitioner happens to be the close relative of A-3 to A-5, the

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petitioner herein has been added as accused. He further submitted that the petitioner has not committed any offence and therefore, he prayed to grant anticipatory bail to the petitioner.

3. Per contra, the learned Government Advocate (Crl.Side) has submitted that on 24.07.2019 at about 4.00 p.m when the defacto complainant and his friends were waiting at Pallangi Kombai road near Vazhakkattu Odai Muthu Mariamman temple, totally six accused persons came in two cars and told them that they will make arrangements for job and believing their words, the defacto complainant and his friends went along with the accused persons through the aforesaid cars and thereafter, after going for certain distance, all the accused persons criminally intimidated them and demanded Rs.5 lakhs as ransom and subsequently at 05.30 p.m, they escaped from the clutches of the accused persons and therefore, she strongly opposed this petition.

4. Though it is stated that the accused persons are not known to the defacto complainant, he has stated the name of the accused persons in the complaint and for that there is no explanation from the prosecution side. Further, no amount has been paid to the accused persons.

5. Taking into consideration of the aforesaid fact and also the fact that no bad antecedent is reported against the petitioner, 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 Judicial Magistrate, Kodaikanal 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/-
28/08/2019

/ TRUE COPY /

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

TO

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

+1CC TO MR.K.R.LAXMAN, Advocate Sr. No. 84303

ORDER
IN
CRL OP(MD) No.12050 of 2019
Date : 28/08/2019

TR/PN/SAR-III (05.09.2019) 3P 6C