

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2020

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.8227 of 2020

Arunkumar

... Petitioner

Vs.

The State Rep. By
Inspector of Police
Vaduvor Police station,
Thiruvarur District.
Crime NO: 427of 2020

... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C. to enlarge the petitioners on bail pending investigation in Crime No.427 of 2020 on the file of the respondent police.

For Petitioner : Mr.Swami Subramaniam

For Respondent : Mr.Mohammed Riyaz

Additional Public Prosecutor

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ORDER

The petitioner/Accused No.4, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 448, 294(b), 323 & 506 (ii) IPC in Crime No.427 of 2020 on the file of the respondent police, seek

anticipatory bail.

2. The case of the prosecution is that the petitioner is said to have indulged in a wordy quarrel after trespassing into the property of the defacto complainant. He is said to have criminally intimidated the defacto complainant.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate I, Mannargudi, Thiruvavur District on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees Five thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner is directed to appear before the respondent police, as and when required.

[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 persons thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

08.06.2020

Internet : Yes/No

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To.

1. The Assistant Sessions Judge,
Thiruvapur.

2. The learned Judicial Magistrate No.I,
Mannargudi, Thiruvapur District.

3. The Inspector of Police
Vaduvoor Police station,
Thiruvapur District.

4. The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH,J

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