

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.9904 of 2020

Suresh Kumar

... Petitioner

Vs.

State Rep. By  
The Inspector of Police,  
Mathur Police Station,  
Krishnagiri District.  
Crime No.716 of 2020.

... Respondent

**Prayer:** Criminal Original Petition filed under Section 438 Cr.P.C., praying to grant anticipatory bail to the petitioner in the event of hi arrest in Crime No.716 of 2020 pending on the file of the respondent.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.M.Mohamed Riyaz,  
Additional Public Prosecutor

**ORDER**

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), and 506(i) of IPC in Crime No.716 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that on 05.06.2020 at about 10.15 hours, when the de-facto complainant and his associates Viz., Vadivel and Ramesh were talking near at Dhanam Kalyanamandabam, at that time the petitioner along with other accused persons came in a Yamaha two wheeler, on seeking the de-facto complainant, the petitioner intimidated him with filthy language and asked to pay Rs.25,000/- if he failed to fulfil his demand he will do away his life. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that there is no one injured in this case. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused intimidated him with filthy language and asked to pay Rs.25,000/- if he failed to fulfil his demand he will do away his life. Hence he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 made ready, before the learned District Munsif-cum-Judicial Magistrate, Pochampalli, on condition that the petitioner shall execute 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 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 shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for 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 abscond/s, a fresh FIR can be registered under Section 229A IPC.

-sd/-

02/07/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

TO

1 THE DISTRICT MUNSIF-CUM-JUDICIAL MAGISTRATE,  
POCHAMPALLI.

2 THE CHIEF JUDICIAL MAGISTRATE  
KRISHNAGIRI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

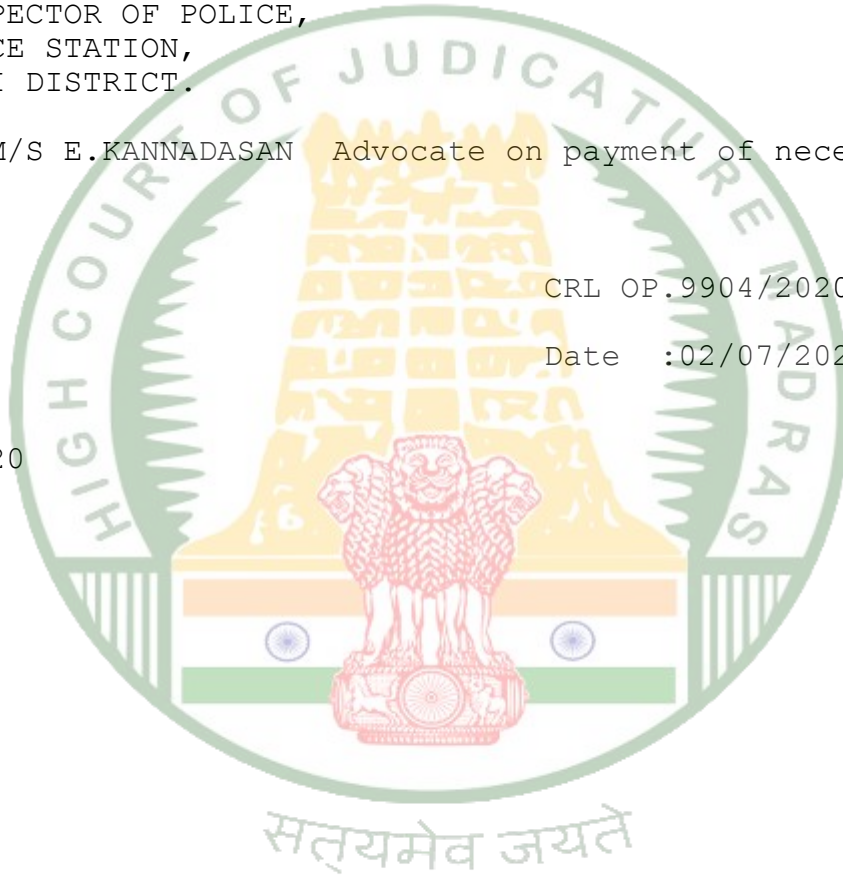
4 THE INSPECTOR OF POLICE,  
MATHUR POLICE STATION,  
KRISHNAGIRI DISTRICT.

CC to M/S E.KANNADASAN Advocate on payment of necessary  
charges

CRL OP.9904/2020

Date :02/07/2020

TA-29/07/2020



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