



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4661 of 2020

1. KRISHNAN
2. RAMAR
3. JEEVAREGA
4. RAJIVE
5. NIRANJANA

... PETITIONERS/ACCUSED NO.1 TO 5

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
UTHAPPANAICAKANUR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO. 47 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioners : M/s.P.Senguttuarasan,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.47 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 447,427,323,294(b) 506(ii) of IPC and Section 4 of TNPHW Act seek anticipatory bail.

2. It is a case and counter case. Belated complaint has been given to the Magistrate under Section 156(3) of Cr.P.C which has been taken up for investigation. The petitioner and the defacto complainant have landlord and tenant relationship and already civil services court civil case and the same is pending.



3. Considering the facts and circumstance of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Usilampatti on condition that the petitioners shall execute a bond for a sum of Rs.1,00,000/- (Rupees One lakh 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) the petitioners 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 petitioners shall report before the respondent police as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

16/03/2020

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

TO

1 THE JUDICIAL MAGISTRATE NO.II,
USILAMPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>



3 THE INSPECTOR OF POLICE
UTHAPPANAICAKANUR POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.P.SENGUTTARASAN, Advocate (SR-5331[I] dated
17/03/2020)

ORDER
IN
CRL OP(MD) No.4661 of 2020
Date :16/03/2020

AAV
JM/VR/SAR 3/18.03.2020/3P/6C