



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

Date : 24/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD). No.5132 of 2020

Senthilkumar

... Petitioner/Accused 2

Vs

The State rep.by
The Inspector of Police,
District Crime Branch,
Madurai District.
Crime No.9/2020.

... Respondent/Complainant

For Petitioner : M/s.E.Satish Rajkumar,
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.9 of 2020 on the file of the
respondent police

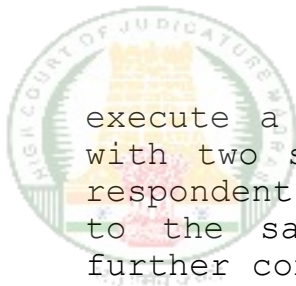
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 120(b),
463, 465, 467, 468, 471 and 420 IPC in Crime No.9 of 2020 on the
file of the respondent police, seeks anticipatory bail.

3.It is seen that there is a civil dispute between the parties
regarding the property situated in survey No.164 to the extent of 4
acres and 37 cents and survey No.166/1 to the extent of 88 cents.

4.Hence, this Court is of the opinion that the arrest of the
petitioner is not necessary and I am 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 his appearance, within a period of four weeks from the date of
receipt of a copy of this order, before the learned Judicial
Magistrate No.1, Madurai, on condition that the petitioner shall



execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) 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 petitioner and the sureties shall affix their photograph 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 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 petitioners 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]***; and;

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

sd/-
24/03/2020

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

TO

1. THE JUDICIAL MAGISTRATE NO I, MADURAI.
2. THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH, MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.5132 of 2020
Date : 24/03/2020