



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/05/2020

WEB COPY

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5228 of 2020

R.Sivanesan

... Petitioner/Sole Accused

Vs

State Rep.by
Inspector of Police,
Srirangam Police Station,
Trichy District.
(Crime No. 109 of 2020)

... Respondent/Complainant

For Petitioner : M/s. N.Mohan,
Advocate.

For Respondent : Mr.S.Chandarasekar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 109 of 2020 on the file of the Respondent Police.

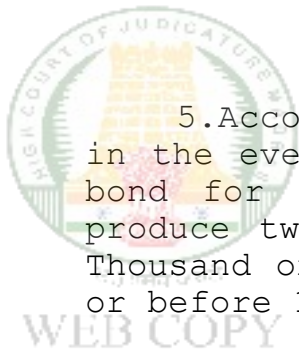
ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(i) of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002, seeks anticipatory bail.

2.Heard both sides.

3.The petitioner herein and the de-facto complainant has a money transaction, in which, the petitioner has failed to repay the amount back. In the said course, quarrel has crept between the petitioner and the de-facto complainant. Hence, the de-facto complainant has given a complaint to the respondent police on 19.03.2020 alleging harassment and use of abusive language.

4.Considering the nature of the complaint, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.



5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest by the respondent police on executing a own bond for a sum of Rs.25,000/- and further the petitioner shall produce two sureties for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) before the learned Judicial Magistrate, Srirangam on or before 12.06.2020 and on further condition that:

(a) the petitioner and 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 not tamper with evidence or witness either during investigation or trial;

(c) the petitioner shall not abscond either during investigation or trial;

(d) 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]***; and;

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

sd/-

15/05/2020

/ TRUE COPY /

/ /2020

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

TO

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

ORDER

IN

CRL OP(MD) No.5228 of 2020

Date :15/05/2020

MS/PN/SAR-2/15.05.2020/2P.5C

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