



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

Date : 15/05/2020

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PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5339 of 2020

MANOJKUMAR

... PETITIONER/ACCUSED NO.3

VS

STATE REP. BY
THE SUB-INSPECTOR OF POLICE,
VASUDEVANALLUR POLICE STATION,
TENKASI DISTRICT
CRIME NO.157/2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.S.A.Ganapathyraman,
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.157 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 147, 341, 294(b) and 506(1) of IPC and Section 3 of TNPPDL Act, seeks anticipatory bail.

2.Heard both sides.

3.According to the prosecution, the petitioner along with four others restrained the de-facto complainant and attacked him and caused damage to his two wheeler.



4.The learned Additional Public Prosecutor would submit that the except damage to the vehicle, no serious injury caused to the de-facto complainant.

5.Taking note of the said submission, this Court is inclined to grant anticipatory bail to the petitioner on following conditions.

6.The petitioner is ordered to be released on bail in the event of arrest by respondent police on executing a own bond for a sum of Rs.25,000/- each 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, Sivagiri, Tenkasi District on or before 13.06.2020 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 deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Crime No.157 of 2020, before the Judicial Magistrate, Sivagiri, Tenkasi District, without prejudice to his defence before the trial Court;

(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]**; and;

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

sd/-

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

TO

1 THE JUDICIAL MAGISTRATE
SIVAGIRI, TENKASI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TENKASI DISTRICT.

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



3 THE SUB-INSPECTOR OF POLICE
VASUDEVANALLUR POLICE STATION,
TENKASI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.5339 of 2020

Date :15/05/2020

SJI

JM/PN/SAR 2/15.05.2020/3P/5C