



WEB COPY

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

Date : 05/06/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5720 of 2020

N.Sathyamoorthy,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thuraiyur Police Station,
Trichy District.
(Crime No. 1083/2020).

... Respondent/Complainant

For Petitioner : Mr.N.Mohan,
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. 1083/2020 on the file of
respondent police

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 294(b),
323 and 506(ii) of I.P.C., in Crime No.1083 of 2020 on the file of
the respondent police, seeks anticipatory bail.

2.Heard both sides.

3. This is the case and counter between the brothers due to
property dispute.



4. In view of the above, this Court is inclined to grant anticipatory bail to the petitioner. 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 execute two sureties for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) before the learned Judicial Magistrate, Thuraiyur on or before 05.07.2020 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 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]***; and;

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

sd/-
05/06/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.



TO

1. THE JUDICIAL MAGISTRATE,
THURAIYUR

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3. THE INSPECTOR OF POLICE,
THURAIYUR POLICE STATION,
TRICHY DISTRICT.

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

ORDER

IN

CRL OP(MD) No.5720 of 2020

Date :05/06/2020

RMK

AE/PN/SAR-II (08.06.2020) 3P 5C