



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

Date : 19/06/2020

PRESENT

The Hon'ble Mr.Justice **M.DHANDAPANI**

CRL OP(MD) . No.6436 of 2020

MUTHUMANI

... PETITIONER/ACCUSED  
RANK NOT KNOWN

VS

STATE REP. BY  
THE SUB INSPECTOR OF POLICE,  
AIRPORT POLICE STATION,  
TRICHY DISTRICT.  
CRIME NO. 319 OF 2018.

... RESPONDENT

For Petitioner : M/s.R.Alagumani,  
Advocate.

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

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

PRAYER :-

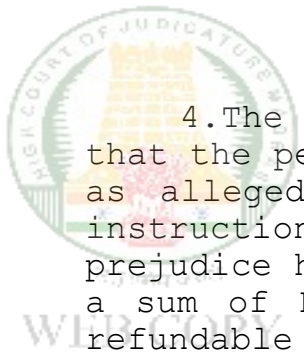
For Anticipatory Bail in Crime No. 319 of 2018 on the file of  
the Respondent Police

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 section 379 of  
I.P.C., in Crime No.319 of 2020 on the file of the respondent  
police, seeks anticipatory bail.

3.The case of the prosecution is that on 24.06.2018, the defacto  
complainant's two wheeler (Hero Honda Splendor) bearing registration  
No.TN 22 AV 4791 parked before his house was missing. Hence, the



4.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has not commit any offence as alleged by the prosecution. Further, the learned counsel, on instructions from the petitioner, would submit that without any prejudice his rights and contentions, the petitioner is ready to pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), as non-refundable compensation, by way of Demand Draft, in favour of 'The Dean, Trichy Medical College Hospital, Trichy District', for the purpose of providing facilities to the Health workers.

5. The learned Government Advocate(Criminal Side) submitted that the petitioner is having four previous cases.

6. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

(i) Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.IV, Tiruchirappalli and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned;

(ii) The petitioner is directed to pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), by way of Demand Draft, in favour of 'The Dean, Trichy Medical College Hospital, Trichy District', on or before 30.06.2020, for the purpose of providing facilities to the Health workers, as non-refundable compensation, without prejudice his rights and contentions, since the Health workers put their lives at risk every day and play a critical role in preventing the spread of COVID-19 Pandemic;

(iii) The petitioner shall appear before the respondent police for a period of two weeks daily at 10.00 a.m and 5.00 p.m and thereafter, as and when required for interrogation.

(iv)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 petitioners released on bail by the learned Magistrate/Trial Court themselves as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

7.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall



8.The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

sd/-  
19/06/2020

WEB COPY

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV,  
TIRUCHIRAPPALLI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TIRUCHIRAPPALLI.
- 3 THE SUB INSPECTOR OF POLICE  
AIRPORT POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:  
THE DEAN,  
TRICHY MEDICAL COLLEGE HOSPITAL,  
TRICHY DISTRICT.

ORDER  
IN  
CRL OP(MD) No.6436 of 2020  
Date :19/06/2020

skn  
JM/PN/SAR 2/23.06.2020/3P/6C