



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.6453 of 2020

Mani

... Petitioner/Accused No.6

Vs.

State rep.by  
The Inspector of Police,  
Kamuthi Police Station,  
Ramanathapuram District.  
Crime No.354 of 2020.

... Respondent/Complainant

For Petitioner : M/s.G.Vishnuram, 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. 354 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 arrayed as A6, apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 448, 294(b), 323, 307 and 506(ii) of I.P.C., and Section 3(1) of Tamil Nadu Public Property (Prevention of Damages & Loss) Act, 1992 in Crime No.354 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that the de facto complainant's daughter married one Jayaram. After marriage, Jayaram went to abroad to earn his livelihood. In such said situation, the de facto complainant's daughter had illegal relationship with one Ashok Kumar and it was questioned by her husband. It is the further case of the prosecution that Jayaram was murdered by the de facto complainant's daughter and Ashok Kumar. In continuance of the same,



the de facto complainant's house was attacked by the relatives and sister of deceased Jayaram using weapons and they also damaged the household articles. Due to this, the de facto complainant sustained simple injuries. Hence, the present complaint.

4. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has nothing to do with the alleged offence.

5. The learned Government Advocate(Crl. Side) submitted that the injured has been discharged from the hospital.

6. In view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

[a] Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned District Munsif/ Judicial Magistrate Court, Kamuthi 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;

[b] The petitioner shall appear before the respondent police as and when required, for interrogation;

[c] The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously;

[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.

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 stand dismissed.

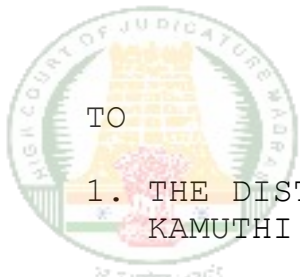
sd/-  
19/06/2020

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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 DISTRICT MUNSIF/ JUDICIAL MAGISTRATE,  
KAMUTHI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,  
KAMUTHI POLICE STATION, RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.6453 of 2020  
Date :19/06/2020

MS/PN/SAR-2/22.06.2020/3P.5C