



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/06/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice RMT. TEEKAA RAMAN

CRL OP(MD) . No.6515 of 2020

Badri @ Badrinathan

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Woraiyur Police Station,
Trichy District.
Crime No.240/2020

... Respondent/Complainant

For Petitioner : M/s.V.Karuna, Advocate.

For Respondent : Mr.V.Neelakandan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime no.240 of 2020 on the file of the respondent police.

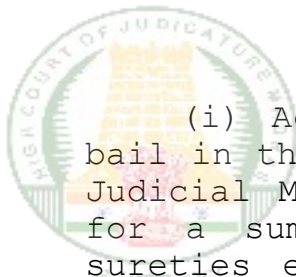
ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 188, 269 and 270 of I.P.C., Section 3 of Epidemic Disease Act, 1897 r/w. Sections 134 and 135 of Tamilnadu Public Health Act, 1939 and Section 51(b) of Disaster Management Act, 2005, in Crime No.240 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that the petitioner opened the Aryurvedic Massage Centre during the Covid 19 lockdown period. Hence, a complaint.

4. Taking note of the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner with certain conditions.



(i) Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.IV, Trichirappalli, 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, Trichirappalli Government Medical College and Hospital, Trichirappalli', on or before 08.07.2020, for the purpose of providing facilities to the Health workers, as non-refundable compensation, without prejudice his rights, 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 sureties shall affix his photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

(iv) The petitioner shall report before the respondent Police daily at 10.00 a.m. for a period two weeks and thereafter as and when required for interrogation.

(v) The petitioner shall not tamper with evidence or witness either during investigation or trial;

(vi) The petitioner shall not abscond either during investigation or trial;

(vii) 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;

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

sd/-

24/06/2020

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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.

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



TO

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

COPY TO:

THE DEAN,
TRICHIRAPPALLI GOVERNMENT MEDICAL COLLEGE
AND HOSPITAL, TRICHIRAPPALLI.

ORDER
IN
CRL OP(MD) No.6515 of 2020
Date :24/06/2020

MS/PN/SAR-3/26.06.2020/3P.6C