



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

Date : 29/06/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
CRL OP(MD) . No.6501 of 2020

Ananth

... Petitioner/Sole Accused

Vs

The State through
The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
Under Crime No. 49 of 2020.

... Respondent/Complainant

For Petitioner : M/s.K.R. Laxman,
Advocate.

For Respondent : Mr.R.Anandharaj,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 49 of 2020 on the file of
the 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),
427,448 and 506(ii) of IPC seeks anticipatory bail.

2. The case of the prosecution is that the petitioner entered
into the house of the defacto complainant and damaged the property
and taken the key of the bureau.

3. The learned counsel for the petitioner would submit that
both the petitioner and the defacto complainant are relative and on
ulterior motive this complaint has been given.

4. Taking note of the facts and circumstances of the case and
also taking note of the fact that both the petitioner and the
defacto complainant are relatives this Court is inclined to grant
anticipatory bail to the petitioner.

5. Accordingly, the petitioner is ordered to be released on
bail in the event of arrest or on his appearance, within a period of
four weeks from the date of receipt of a copy of this order, before
the learned Judicial Magistrate, Paramakudi, Ramanathapuram District
on condition that the petitioner shall execute a bond for a sum of
Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties,
each for a like sum to the satisfaction of the respondent police or
the police officer who intends to arrest or to the satisfaction of
the said Magistrate, 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 stay of Sivagangai and report before the Sivagangai Town Police Station daily at 10.30 a.m., till 30.07.2020.

[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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29.06.2020

/ TRUE COPY /

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

AAV

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, Paramakudi,
Ramanathapuram District.
2. -Do- Through The Chief Judicial Magistrate,
Ramanathapuram District.
3. The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.



4. The Inspector of Police,
Sivagangai Town Police Station,
Sivagangai.

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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ORDER
IN
CRL OP(MD) No.6501 of 2020
Date : 29/06/2020

VB SKN SAR 2 (30.06.2020) 3P 6C