



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.6564 of 2020

GOVINDARAJ @ GOVINDAN

... PETITIONER/ACCUSED NO.5

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT
(CRIME.NO. 18 OF 2020).

... RESPONDENT/COMPLAINANT

For Petitioner : Mr. D.Sasikumar,
Advocate.

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

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

PRAYER :-

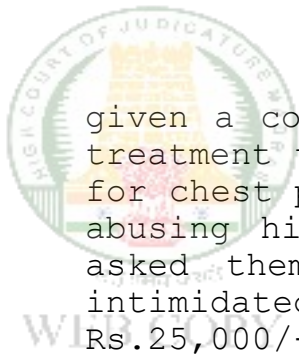
For Anticipatory Bail in Crime.No.18 of 2020 on the file of the respondent police.

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 147, 294(b), 332, 323 and 506(i) of IPC, Section 4 of Tamilnadu Prohibition of Harassment of Women Act and Section 3 of Tamilnadu Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage or Loss to the property) Act, 2008 in Crime No.18 of 2020 on the file of the respondent police, seeks anticipatory bail.

3.The case of the prosecution is that the defacto complainant, <https://www.resourcemanager.gov.in/services> Inspector working in Government Hospital, Paramakudi, has



given a complaint on 17.01.2020, stating that when he was giving a treatment to patient by name Soundaram from Thalaiyadikottai village for chest pain, the accused who are relatives of the patient started abusing him in filthy language and quarrelled with him. While he asked them to allow him to give treatment to a patient, they intimidated Nurses and pushed down the equipment worth about Rs.25,000/-.

4.The learned counsel for the petitioner submitted that the petitioner did not commit any offence as alleged by the prosecution and he is an innocent and he has been falsely implicated in the above said case.

5.The learned Additional Public Prosecutor submitted that co-accused has already been released on bail by this Court.

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 Court, Paramakudi, Ramanathapuram District 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 shall appear before the respondent police as and when required for interrogation.

(iii) 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;

(iv) 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.

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

sd/-

24/06/2020

/ TRUE COPY /

/ /2020

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



TO

1 THE JUDICIAL MAGISTRATE,
PARAMAKUDI, RAMANATHAPURAM DISTRICT.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER

IN

CRL OP(MD) No.6564 of 2020

Date :24/06/2020

CP

JM/PN/SAR 2/26.06.2020/3P/5C