



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

Date : 25/06/2020

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PRESENT

The Hon'ble Mr.Justice RMT.TEEKAA RAMAN

CRL OP(MD) . No.6669 of 2020

G.H.Ravikumar

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Kayathar Police Station,
Thoothukudi District.
(Crime No. 268 of 2020)

... Respondent/Complainant

For Petitioner : M/s. I.Pinaygash,
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. 268 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 294(b) and 506(ii) IPC in Crime No.268 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The case of the prosecution is that the defacto complainant, who is the wife of the petitioner, has lodged a complaint before the respondent police alleging that the petitioner has abused her and threatened with dire consequences with inebriated mood. Hence, the complaint.



4. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and that he did not commit any offence as alleged by the prosecution and he has been falsely implicated in this case.

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5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner on 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.II, Kovilpatti, Thoothukudi District, and on his executing a bond for a sum of Rs.5,000/- (Rupees Five thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned;

(ii) 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;

(iii) The petitioner shall report before the respondent Police as and when required for interrogation.

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

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

(vi) 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;

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

sd/-
25/06/2020

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/ /2020
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.

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TO

1. THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI,
THOOTHUKUDI DISTRICT.
2. DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
KAYATHAR POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.6669 of 2020

Date :25/06/2020

MYR

SRS/ JC/ SAR-II/ 29.06.2020/ 3P/5C