



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/06/2020

WEB COPY

PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.6745 of 2020

1. Balamurugan
2. T.Ganesan
3. Avudayammal

... Petitioners/Accused

Vs

The State Rep. by
The Inspector of Police,
Sankarankovil Town Police Station,
Sankarankovil,
Tirunelveli District.
Cr.No. 101 of 2020.

... Respondent/Complainant

For Petitioners : M/s.T.Selvan,
Advocate.

For Respondent : Mr.R.Anandharaj,
Government Advocate (Crl.Side)

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

PRAYER :-

To release the petitioners on bail in the event of their arrest in Cr.no. 101 of 2020 on the file of the respondent Police Station.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 376(1), 294(b), 323 and 506(ii) of I.P.C., in Crime No.101 of 2020 on the file of the respondent police, seek anticipatory bail.



3. The private complaint has been lodged against the petitioners under Sections under sections 376(1), 294(b), 323 and 506(ii) of I.P.C.

4. Considering the allegations and the delay, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, petitioners are ordered to be released on bail in the event of arrest or their appearance before the learned Judicial Magistrate, Sankarankovil and on their executing a bond for a sum of Rs.25,000/- (Twenty Five thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners 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 petitioners shall report before the respondent police as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

(f) if the accused thereafter absconds, 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.

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,
SANKARANKOVIL.
2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
SANKARANKOVIL TOWN POLICE STATION,
SANKARANKOVIL,
TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.6745 of 2020

Date :29/06/2020

AKV

TE/JC/SAR-III : 30/06/2020 : 3P/5C