



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

Date : 29/06/2020

PRESENT

WEB COPY

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.6719 of 2020

Chelladurai

... Petitioner/2nd Accused

Vs

The State rep. by,
The Inspector of Police,
Srivaikundam Police Station,
Thoothukudi District.
(Crime No.280/2020).

... Respondent/Complainant

For Petitioner : M/s. M.S.Jeyakarthik,
Advocate.

For Respondent : R.Anandharaj,
Additional Public Prosecutor.

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

PRAYER :-

For Anticipatory Bail in Crime No.280/2020 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 Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 448, 387 & 427 of I.P.C., in Crime No.280 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. It is alleged that the petitioner along with two others intimidated the de-facto complainant and demanded a sum of Rs.30,000/- for running a quarry. When the de-facto complainant refused, the vehicles parked near the quarry were damaged.

4. The learned counsel for the petitioner states that the petitioner's villagers objected for the operation of the quarry. Therefore, to take vengeance, the de-facto complainant has come out with the false allegations. Further, the learned counsel for the



petitioner states that anticipatory bail was granted to A1 and bail was granted to A3.

5. The learned Additional Public Prosecutor states that if the petitioner co-operates with the investigation, there is no necessity to arrest him.

6. Recording the same, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Srivaikundam 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 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 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 shall report before the respondent police as and when required for interrogation;

(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;

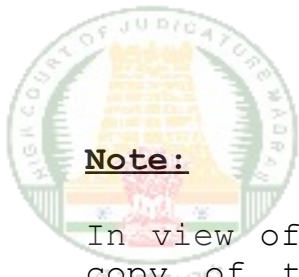
(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid 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.

TO

1. THE JUDICIAL MAGISTRATE,
SRIVAIKUNDAM
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE.
SRIVAIKUNDAM POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.6719 of 2020

Date :29/06/2020

AKV

SRS/ VR/ SAR-III/ 30.06.2020/ 3P/5C