



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/07/2020

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PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.6999 of 2020

Sarithirakumar

... Petitioner/Accused No.2

Vs

State through
The Inspector of Police,
Medical College Police Station,
Thanjavur,
Thanjavur District
Crime No.40 of 2020.

... Respondent/Complainant

For Petitioner : M/s.R.Maheswaran,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

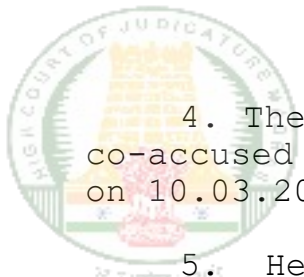
For Anticipatory Bail in Crime No. 40 of 2020 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police in connection with a case registered in Crime No.40 of 2020 for the offences punishable under Sections 294(b), 386 and 506(ii) of the Indian Penal Code, seeks anticipatory bail.

2. Heard both sides.

3.The case of the prosecution is that on 06.03.2020 when the *defacto* complainant went to his house after completing his work, the accused persons asked money from the *defacto* complainant, which was refused. Thereafter, the third accused threatened the *defacto* complainant with knife and snatched a sum of Rs.200/- from the *defacto* complainant. Hence, the complaint.



4. The learned counsel for the petitioner would submit that the co-accused in this crime was already arrested and released on bail on 10.03.2020 by the learned Judicial Magistrate No.II, Thanjavur.

5. Heard the learned Government Advocate (Criminal side) appearing for the respondent also.

6. Considering the facts and circumstances of the case and also considering the fact that the co-accused was already released on bail by the learned Judicial Magistrate No.II, Thanjavur, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Thanjavur, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 once in a week i.e., on every Monday at 10.30 a.m until further orders;

(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]***; and

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

sd/-
10/07/2020

/ 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 No.II, THANJAVUR.
2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION,
THANJAVUR,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6999 of 2020
Date :10/07/2020

SML
TE/JC/SAR-II : 13/07/2020 : 3P/5C