



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/07/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7506 of 2020

1. R.M.Mahalingam,,
2. Karthick @ subramanian,
3. Rajaguru,
4. Karuppaiah,,
5. Thirugnanam @ Thirugnanasambantham,
6. Ramanathan, ... Petitioners/Accused Nos.1 to 6

Vs

The State rep.by
The Inspector of Police,
Pudukkottai Police Station,
Pudukkottai District.
Crime No.1067/2020.

... Respondent/Complainant

For Petitioners : Mr.D.Rameshkumar,
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.1067 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who are arrayed as A1 to A6, apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 363, 323 and 506(i) of IPC in Crime No.1067 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners were said to have abducted the defacto complainant and threatened him and also obtained signature in the blank papers. Due to intervention of the area people, the petitioners ran away from the scene of occurrence



and thereafter the defacto complainant has been admitted in the hospital. Hence, the complaint.

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

4. The learned counsel appearing for the petitioners submitted that A1 is the wholesale traders and the defacto complainant purchased goods worth about Rs.5,00,000/- from A1. But, he did not repay the amount. When the same was questioned by the petitioners, the defacto complainant foisted the present false case. He further submitted that the sixth petitioner is working as a Doctor in Karaikudi. Now the defacto complainant has implicated the entire family members of the petitioners. Hence, he seek anticipatory bail.

5. The learned Government Advocate (Crl. Side), on instructions, submitted that the defacto complainant has been secured and the injured person has been discharged from the hospital.

6. Considering the facts and circumstances of the case and considering the fact that the defacto complainant has been secured and the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Pudukkottai District, and on their executing a bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) each with two sureties each for a like sum 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 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 accused/petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
17/07/2020

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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.

TO

1. THE JUDICIAL MAGISTRATE NO.I, PUDUKKOTTAI DISTRICT.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT
3. THE INSPECTOR OF POLICE,
PUDUKKOTTAI POLICE STATION, PUDUKKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.7506 of 2020
Date : 17/07/2020

vsg
AE/PN/SAR-II (21.07.2020) 3P 5C