



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/07/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.7519 of 2020

Inthira Sakthi

... Petitioner/Accused No.6

Vs

The State Rep. by
The Inspector of Police,
Ramanathapuram Town Police Station,
Ramanathapuram District.
Cr No.162/2020.

... Respondent/Complainant

For Petitioner : Mr.C.Senthil Murugan,
Advocate.

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

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

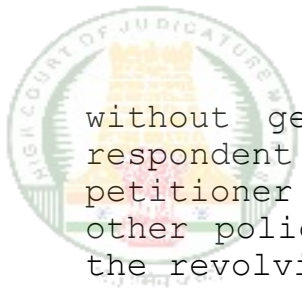
PRAYER :-

For Anticipatory Bail in Crime No. 162 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A6, apprehending arrest at the hands of the respondent police for the offences punishable under sections 145, 147, 294(b), 332, 506(ii), 269 and 271 of IPC and Section 3 of TNPPDL Act, in Crime No.162 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 08.05.2020, the defacto complainant and other Police officials had seized the motor cycle at the time of vehicle inspection and kept it in the police custody. Thereafter, one Prakash belongs to the petitioner's village, was said to have taken the bike from the police station



without getting permission from the authorities. Thereafter the respondent police searched the said vehicle, at that time the petitioner and his villagers abused the defacto complainant and other police officials and also attacked them and caused damage to the revolving light in the car. Hence, the present complaint.

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

4. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that A1, A3 and A5 are already arrested and released on bail by the lower Court. Hence, he seek anticipatory bail.

5. The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the petitioner along with other accused attacked the police and caused minor injury and damaged to the innovative revolving light worth about Rs.10,000/-.

6. Considering the facts and circumstances of the case and considering the fact that the co-accused have already been arrested and released on bail by the lower Court, 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.I, Ramanathapuram, 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:

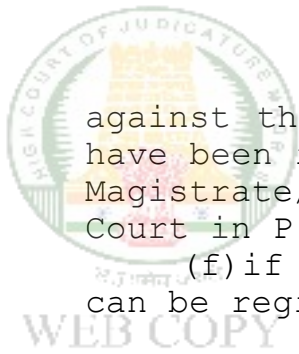
(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police once in a week (ie.,) 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



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

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

ORDER
IN
CRL OP(MD) No.7519 of 2020
Date :17/07/2020

VSG
TE/JC/SAR-III : 21/07/2020 : 3P/5C