



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

Date : 04/08/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.8120 of 2020

S.RAMAR

... PETITIONER/SOLE ACCUSED

VS

STATE REP.BY
THE INSPECTOR OF POLICE,
MANAMADURAI POLICE STATION,
SIVAGANGAI DISTRICT.
CR.NO. 436 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.A.Uthayakumar,
Advocate.

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

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

PRAYER :-

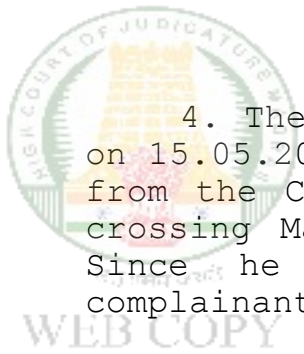
For Anticipatory Bail in Cr.No.436 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 225(B), 352, 353, 188, 270, 271, 506(ii) of IPC and Section 51(1) (b) of Disaster Management Act, seeks anticipatory bail.

2. The defacto complainant is the Government bus driver. The case of the prosecution is that on 15.05.2020 while the defacto complainant was taking passengers from the Calcutta due to corona virus and while the bus was crossing Manamadurai the petitioner herein asked to stop the bus, Since he refused, the petitioner herein abused the defacto complainant and threatened him with dire consequences.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this



4. The learned Government Advocate(Crl.Side) would submit that on 15.05.2020, the defacto complainant was taking stranded passenger from the Calcutta due to corona virus Pandemic, while the bus was crossing Manamadurai the petitioner herein asked to stop the bus, Since he refused the petitioner herein abused the defacto complainant and threatened him with dire consequences.

5.Taking into consideration the facts and circumstances of the case and also taking note of the fact that it is only a wordy quarrel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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, Manamadurai, Sivagangai District on condition that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty 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 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 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

04/08/2020

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

ORDER
IN
CRL OP(MD) No.8120 of 2020
Date :04/08/2020

AAV
JM/AKM/SAR 2/06.08.2020/3P/5C