



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

Date : 07/09/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP(MD) . No.8457 of 2020

Maheswaran

... Petitioner/Accused-8

Vs

The State rep.by,
The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District ,
Crime No. 347 of 2020.

... Respondent/Complainant

For Petitioner : Mr.Ajamlkhan, Senior Counsel for Mr.I.Pinaygash,
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.347 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner who is arrayed as A-8 apprehending arrest at the hands of the respondent police for the offences punishable under sections 406, 420, 294(b) & 506(ii) of I.P.C., in Crime No.347 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that totally there are nine accused and the petitioner is arrayed as A-8 and he is working as a District reporter of one Sathiyam TV at Ramanathapuram. A-1 to A-3 said to have running a finance company and collected deposit amounts to the tune of Rs.3 Crores from various depositors and after maturity they refused to return the amounts, various complaints have been filed against A-1 to A-3. This petitioner along with two other accused persons, namely; A-7 & A-8 have approached the A-1 to A-3 and threatened them that they will expose them in the TV channels and demanded money from them. In turn, A-1 to A-3 have also paid a sum of Rs.10 Lakhs each to the three accused. Since the amount belongs to the depositors these petitioners have also impleaded as accused in this case. Hence, the complaint.



3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (criminal side) appearing for the respondent.

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4. The learned senior counsel appearing for the petitioner submitted that, the petitioner is working as a District Reporter in Sathiyam TV and telecasted the illegal activities of A-1 to A-3 in the TV channel, only in order to wreck the vengeance against the petitioner, A-2 has given a confession that he has paid money to the petitioner, only based on the confession given by A-2 the petitioner was impleaded as accused in this case and he has not received any money from A-2. Hence, he seeks anticipatory bail.

5. The learned Government Advocate (criminal side), on instructions, submitted that the petitioner is a reporter in a private TV channel and after coming to know about the illegal activities of A-2 & A-3, threatened them and demanded money for not publishing the news in the TV channel and A-2 has also paid a sum of Rs.10 Lakhs to the petitioner. He further submitted that from the statement given by the number of depositors it is very clear that the petitioner has received a sum of Rs.10 lakhs from A-2.

6. Considering the rival submissions and on perusal of records, it is seen that the main allegation against A-1 to A-3 they have collected deposit amounts and cheated the depositors, so far as this petitioner is concerned the allegation is that A-1 to A-3 have paid a sum of Rs.10 Lakhs to the petitioner not to telecast the case in the TV channel. Considering the fact that the petitioner has not involved in the collection of deposits and the petitioner said to have received a sum of Rs.10 lakhs which is depositors money, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

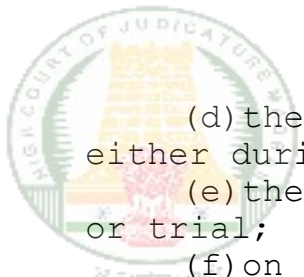
7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Ramanathapuram, and on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the 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 is directed to deposit a sum of Rs.2 Lakhs to the credit of the Crime No.347 of 2020 before the concerned Magistrate Court, within a period of Two weeks, without prejudice to his rights and contentions before the trial Court ;

(c) the petitioner shall report before the respondent police as

<https://hcservices.hcjd.mys.gov.in/hcservices/>



(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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;

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

sd/-

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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.1, RAMANATHAPURAM

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT

3.THE INSPECTOR OF POLICE
BAZAAR POLICE STATION, RAMANATHAPURAM DISTRICT ,

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.8457 of 2020

Date :07/09/2020

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PK/JC/SAR-2/21.09.2020 : 3P/5C