



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

Date : 13/10/2020

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD).No.8947 of 2020

Vignesh Raja

... Petitioner/Accused

Vs

State rep.by,
The Inspector of Police,
All Women Police Station,
Kovilpatti,
Thoothukudi District.
Cr.No.5 of 2020.

... Respondent/Complainant

S.Karpagam

... Petitioner/Defacto-Complainant
in CrI.MP(MD)No.4260/2020
in CrI.OP(MD)No.8947/2020

For Petitioner : Mr.S.Sureshkumar Isaac Paul.MI,
Advocate.

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

For Intervenor : Mr.L.Shaji Chellan
Advocate

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

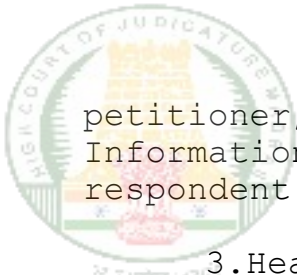
PRAYER :-

For Anticipatory Bail in Crime No.05 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as accused, apprehending arrest at the hands of the respondent police for the offence punishable under sections 498(A), 406 & 420 IPC, in Crime No.5 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.This is the second anticipatory bail application. Earlier, this Court by order dated 03.08.2020 in CrI.O.P(MD)No.7852 of 2020 had closed the anticipatory bail petition on the ground that the respondent police is directed to complete the enquiry, within a period of four weeks from the date of receipt of a copy of this order and if any prima facie case is made out against the



petitioner, the respondent police shall register the First Information Report or close the petition enquiry. Till then, the respondent police is directed not to arrest the petitioners.

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

4. The learned counsel for the petitioner submitted that the respondent police herein without conducting any enquiry and without giving any opportunity to the petitioner willfully disobeyed the order of this Court and registered the First Information Report against the petitioner in a hurried manner. He further submitted that now all the school certificate of the defacto complainant and other original degree certificates were handed over to the defacto complainant. That has been also duly acknowledged by the defacto complainant.

5. Considering the facts and circumstances of the case, 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 two weeks from the date of receipt of a copy of this order, before the Judicial Magistrate No.I, Kovilpatti, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 daily morning at 10.30 a.m., without fail, for a period of Two Weeks and thereafter as on 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



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.

WEB COPY

sd/-
13/10/2020

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

ORDER
IN
CRL OP(MD) No.8947 of 2020
Date :13/10/2020

VSD
PK/SMA/SAR-IV/19.10.2020 : 3P/5C