



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 08/10/2020

PRESENT

**The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN**

**CRL OP(MD) .No.11036 of 2020**

R.Rajendran

..Petitioner/2<sup>nd</sup> Accused

Vs

State rep.by  
The Inspector of Police,  
Sayalkudi Police Station,  
Ramanathapuram District.  
(Crime No.382 of 2020)

..Respondent/Complainant

For Petitioner : Mr.K.Kumaravel,  
Advocate.

For Respondent : Mrs.M.Anandadevi,  
Government Advocate (Crl.Side)

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

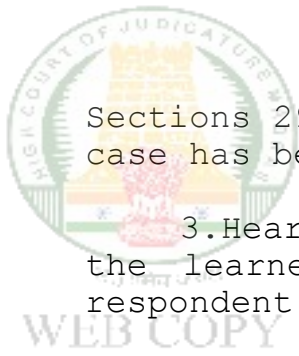
PRAYER :-

For Anticipatory Bail in Crime No.382 of 2020 on the file of the Respondent Police,

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A2, apprehending arrest at the hands of the respondent police for the offence punishable under sections 294(b), 506(i) IPC, in Crime No.382 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is running a Car-Shed put up by him. But the land belongs to the defacto-complainant. Due to this Pandemic Situation, vacant land rent was dues. The defacto complainant was demanded to pay the rent and the petitioner requested him to give some more time to pay the same. Immediately, the defacto complainant taking revenge attacked the Car-Shed and damaged worth about Rs.60,000/-. His brother made a complaint and it was registered in Crime No.381 of 2020 under



Sections 294(b), 448, 427 and 506(i)IPC. To the counter blast, this case has been registered against 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 appearing for the petitioner submitted that it is a case in counter. Earlier, the respondent police has registered the case in Crime No.381 of 2020 for the offence under Sections 294(b), 448, 427 and 506(i)IPC as against the defacto complainant. As a counter blast, the present complaint has been filed.

5. The learned Government Advocate (Crl.Side), appearing for the respondent police submitted that it is a case in counter.

6. Considering the facts and circumstances of the case and also considering the fact that it is a case in counter, I am 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 two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kadaladi, Ramnad District, 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 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/-  
08/10/2020

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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,  
KADALADI, RAMNAD DISTRICT.
- 2.DO THRO'THE CHIEF JUDICIAL MAGISTRATE,  
RAMANATHAPURAM DISTRICT.
- 3.THE INSPECTOR OF POLICE,  
SAYALKUDI POLICE STATION,  
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to Mr.K.KUMARAVEL, Advocate ( SR-6867[I] dated 08/10/2020 )

ORDER  
IN  
CRL OP(MD) No.11036 of 2020  
Date :08/10/2020

vsd  
AE/AKM/SAR-III (12.10.2020) 3P 6C