



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/10/2020

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PRESENT

The Hon`ble Mr.Justice ABDUL QUDDHOSE

CRL OP(MD) . No.11953 of 2020

Jestin ... Petitioner/Accused No.1

Vs

The Sub-Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.

... Respondent/Complainant

For Petitioner : M/s.P.M.Vishnuvarthanan,
Advocate.

For Respondent : Mr.R.Seeni Vasan,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.982 of 2020 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

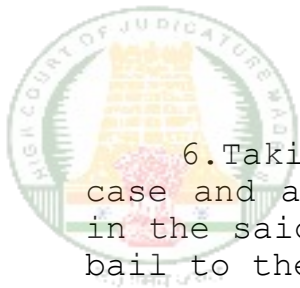
The petitioner, who apprehend arrest at the hands of the
respondent police for the offences punishable under Sections 448,
354A, 506(i) & 294(b) of IPC in crime No.982 of 2020 on the file of
the respondent Police, seeks anticipatory bail.

2.Heard both sides.

3.The case of the prosecution is that on 13.10.2020 the
petitioner tried to misbehave with the defacto complainant, who is
staying alone in her house. The petitioner also threatened her with
dire consequences.

4.The learned counsel for the petitioner would submit that the
petitioner is innocent and he has been falsely implicated in this
case and hence, he prayed for anticipatory bail to the petitioner.

5.The learned Government Advocate(Crl.Side) submitted that no
one sustained injury in the said occurrence.



6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that no one sustained injury in the said occurrence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif-cum-Judicial Magistrate Court, Thiruvidadaimaruthur 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 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/10/2020

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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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
THIRUVIDAIMARUTHUR.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3. THE SUB-INSPECTOR OF POLICE,
THIRUNEELAKUDI POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER

IN

CRL OP(MD) No.11953 of 2020

Date : 22/10/2020

GNS

MS/PN/SAR-IV (28.10.2020) 3P 5C