



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/12/2020

PRESENT

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

CRL OP(MD). No.14574 of 2020

Ilangovan ... Petitioner/Accused-1

Vs

State Rep. by
The Sub Inspector of Police,
Nachiarpuram Police Station
Sivagangai District.
Crime No. 177/2020.

... Respondent/Complainant

For Petitioner : M/s.V.Janakiramulu,
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. 177 of 2020 on the file of the respondent police

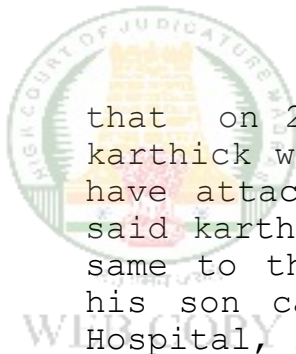
ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341,204 (b),323,324 and 307 of IPC seeks anticipatory bail.

2. Heard both sides.

3.The case of the defacto complainant is that she is the second wife of the injured. It is alleged that the first wife of Ravindran is said to have eloped with one Kalaiyarasu 25 years ago to Singapore with Rs.2 lakhs cash from the bank account and 15 sovereigns jewels. It is further alleged that 6 months ago the said Kalaiyarasu and Nagarani said to have come to Nedumaram Village and Whiles the husband of the defacto complainant, Ravindran is said to have asked about the stolen money and jewels for which the said Kalaiyarasu who is arrayed as second accused in the above complaint is said to have threatened the Ravindran that he will beat him

<https://hcservices.mca.gov.in/hcservices>



that on 25.11.2020 at about 4.20 pm., when the said Ravindran and karthick were going by a two wheeler three unknown persons said to have attacked the said Ravindran with iron pipe and ran away. The said karthik who accompanied Ravindran is said to have informed the same to the defacto complainant and the defacto complainant and his son came there and took Ravindran to the Meenakshi Mission Hospital, Madurai from which intimation was sent to the respondent police and statement has been obtained from the defacto complainant. Hence the complaint.

4. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would also submit that the injured was discharged from the hospital.

5. The learned Government Advocate(Crl.Side) submitted that the investigation is pending and the injured was already discharged from the hospital.

6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that the injured was discharged from the hospital, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruppathur on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two blood related 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 at 10.30 a.m., for period of four weeks and thereafter 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 or the Judicial 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/-

11/12/2020

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

+1. CC to M/S.V.JANAKIRAMULU Advocate SR.No.8185

ORDER

IN

CRL OP(MD) No.14574 of 2020

Date :11/12/2020

AAV

JM/PN/SAR II/18.12.2020/3P/6C