



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/12/2020

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PRESENT

The Hon'ble Mr.Justice S.M.SUBRAMANIAM

CRL OP(MD). No.15215 of 2020

Parthiban

... Petitioner/Accused No.1

Vs

The State Rep. by
The Inspector of Police,
Bodi Town Police Station,
Theni District.

Crime No.2691 of 2020.

... Respondent/Complainant

For Petitioner : M/s.M.Jerin Mathew, Advocate.

For Respondent : Mr.MV.Chandra Sekaran,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.2691 of 2020 on the file of the Respondent police.

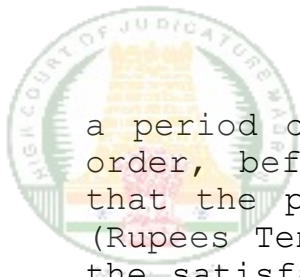
ORDER : The Court made the following order :-

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

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 120B, 406 and 420 of I.P.C., in Crime No.2691 of 2020 on the file of the respondent police, seeks anticipatory bail.

3.The learned counsel appearing for the petitioner made a submission that the substantial amount of financial loss is already recovered and deposited.

4.In view of the aforesaid submission, the respondent is directed to intensify the investigations and prosecute the offenders, by following the procedures contemplated. However, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within



a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Bodi, 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 at 10.00 a.m., for a 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/ 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 petitioner/accused 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.

TO

1. THE JUDICIAL MAGISTRATE, BODI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
3. THE INSPECTOR OF POLICE,
BODI TOWN POLICE STATION,
THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-8352[I] dated 18/12/2020)

ORDER IN
CRL OP(MD) No.15215 of 2020
Date :18/12/2020