



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/03/2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.1383 of 2021

P.Duraipandian

... Petitioner/Accused

Vs

The Sub Inspector of Police,
Paramakudi Town Police Station,
Ramanathapuram District
Crime No. 84/2021..

... Respondent/Complainant

C.K.Vengatesan

... Petitioner/Intervener

For Petitioner : M/s.Arumugam.C.M,
Advocate.

For Intervenor : M/s.D.Senthil
Advocate

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

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

PRAYER :-

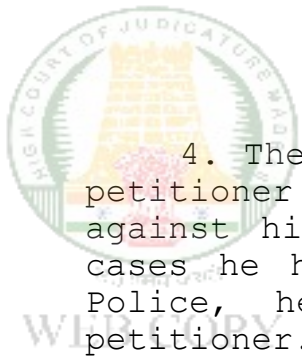
For Anticipatory Bail in Crime No. 84/2021 on the file of the
Respondent Police

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehend arrest at the hands of
the respondent police for the offences punishable under Sections 294
(b), 353 and 506(i) of IPC seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein
abused the defacto complainant in filthy language, prevented him
from discharging his official duty and also threatened him with dire
consequences. Hence the complaint.

3. The learned counsel for the petitioner would submit that the
petitioner is innocent and a false case has been foisted against



4. The learned counsel for the intervenor would submit that the petitioner is a habitual offender and having 12 previous cases against him. He would also submit that in some of the previous cases he has threatened the RTO, Tahsildhar and the Inspector of Police, hence he opposed to grant anticipatory bail to the petitioner.

5. The learned Government Advocate(Crl.Side) would submit that the defacto complainant in this case is Additional Public Prosecutor of Paramakudi Court and the petitioner herein is an advocate. He would also submit that petitioner herein abused the defacto complainant in filthy language, prevented him from discharging his official duty and also threatened him with dire consequences

6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that no one sustained injuries in the said occurrence, 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 No.I, Paramakudi 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 10.30 am., until further orders.

(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/-
22/03/2021

/ TRUE COPY /

WEB COPY

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

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

ORDER
IN
CRL OP(MD) No.1383 of 2021
Date :22/03/2021

NR/VR(26.03.2021) 3P:5C