



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.1991 of 2021

Abdullah

... Petitioner/1st Accused

Vs

State rep by

The Inspector of Police,

Sellur Police Station, Madurai City.

(Crime No.2577/2020).

... Respondent/Complainant

For Petitioner : M/s.Prabakaran.S.P,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.2577/2020 on the file of the Respondent police.

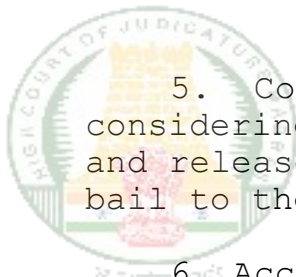
ORDER : The Court made the following order :-

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 294(b), 323, 498(A) and 326(A) of IPC., in Crime No.2557 of 2020, on the file of the respondent police, seeks anticipatory bail.

3. The learned counsel appearing for the petitioner submits that the petitioner is the father-in-law of the defacto complainant and due to family dispute, the present false complaint has been lodged against the petitioner. He would further submit that the co-accused in this case have already been arrested and released on bail.

4. The learned Government Advocate (crl.side) appearing for the respondent Police, on instructions, would submit that there are totally four accused in this case and the petitioner is the father-in-law of the defacto complainant. Based on the complaint given by the defacto complainant, the above case has been registered against the petitioner and others. He would further submit that the co-accused have already arrested and released on bail. The investigation is under progress.



5. Considering the facts and circumstances of the case and also considering the fact that the co-accused had already been arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions;

6. 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.II, Madurai, 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/-

16.02.2021

/ TRUE COPY /

/ /2021

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

MPK

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.II, Madurai.
2. -Do- Thro The Chief Judicial Magistrate,
Madurai District.
3. The Inspector of Police,
Sellur Police Station, Madurai City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.S.P.PRABHAKARAN, Advocate (SR-1199[I] dated
18/02/2021)

ORDER
IN
CRL OP(MD) No.1991 of 2021
Date : 16/02/2021

VB JC SAR 2 (19.02.2021) 3P 6C