



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 31/03/2021

PRESENT

**The Hon'ble Mr. Justice N. SATHISH KUMAR**

CRL OP (MD) . No.4943 of 2021

Kadambur Se.Raju

... Petitioner/Sole Accused

**Vs**

The State Rep. by  
The Inspector of Police,  
Nalattinpudur Police Station,  
Thoothukudi District.  
Crime No.73/2021.

... Respondent/Complainant

For Petitioner : Mr.Thiruvadi Kumar.A.,  
Advocate.

For Respondent : Mr.A.Natarajan,  
State Public Prosecutor

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

**PRAYER :-**

For Anticipatory Bail in Crime No. 73/2021 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 State Public Prosecutor appearing for the respondent.

2. The petitioner apprehends arrest at the hands of the respondent police for the non bailable offences punishable under Sections 353 and 506 (i) of I.P.C., registered in Crime No.73 of 2021 on the file of the respondent police, seeks anticipatory bail.

3. The contention of the applicant is that the First Information Report has been filed due to political vendetta by one of the Election Officer. Initially, the First Information Report



has not been registered, subsequently, the occurrence published in the media, as a result, the First Information Report has been filed for the alleged offences under Sections 353 and 506 (i) of I.P.C., Hence, the petitioner seeks anticipatory bail.

4. The learned State Public Prosecutor appearing for the respondent would submit that the vehicle was stopped by the Election Officer. At that time, there was small argument occurred which has given hype in the media. However, he further submitted that the offences are not very serious in nature and the State has no intention to arrest the petitioner and custodial interrogation is not required in this case.

5. Considering the facts and circumstances of the case and having regard to the nature of offences, I am inclined to grant anticipatory bail to the petitioner herein with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or surrender or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Kovilpatti, on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum before the learned Judicial Magistrate No.I, Kovilpatti, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned concerned Magistrate may obtain a copy of their Aadhaar 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 commit any offences of similar nature;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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]**.



[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

sd/-  
31/03/2021

/ TRUE COPY /

/ /2021

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 No.I, KOVILPATTI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,  
NALATTINPUDUR POLICE STATION,  
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1 CC to Mr.A.THIRUVADIKUMAR, Advocate (SR-2793[I] dated 31/03/2021)

ORDER  
IN  
CRL OP(MD) No.4943 of 2021  
Date :31/03/2021

TSG  
TE/PK/SAR-III : 08/04/2021 : 3P/6C