



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Date : 04/06/2021

PRESENT

**The Hon'ble Mr.Justice N.ANAND VENKATESH**

CRL OP(MD). No.6989 of 2021  
and  
CRL MP(MD)No.3780 of 2021

1. Ravichandran  
2. Sivakumar

... Petitioners/Accused  
No.1 and 2

Vs

1.The Inspector of Police,  
District Crime Branch,  
Virudhunagar,  
Virudhunagar District.

... Respondent/Complainant

2.K.Narayanasamy

... Respondent/Defacto Complainant

For Petitioners : Mr.G.Gomathi Sankar,  
Advocate.

For R1 : Mr.S.Ravi,  
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.10 of 2021 on the file of  
the Respondent Police.

**ORDER :** The Court made the following order :-

The Petitioners, who apprehend arrest at the hands of the  
respondent Police for alleged offences under Sections 406, 420, 294  
(b) and 506(i) of IPC in Crime No.10 of 2021, has filed this  
petition seeking for Anticipatory Bail.

2.Heard the learned counsel for the petitioners and the learned  
Additional Public Prosecutor for the respondent Police.

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



3. Considering the facts and circumstances of this case and also the specific stand taken by the respondent Police to resort to the procedure under Section 41A of the Code of Criminal Procedure, this Court directs the respondent Police to follow the procedure set out in Section 41A of the Code of Criminal Procedure. The respondent Police shall issue an appearance notice to the accused in the form and manner set out in the proceedings of the Director General of Police, Tamil Nadu, viz., the Circular Memorandum in RC.No.000252/Crime 4(2)/2019 dated 30.01.2019, as amended vide Circular Memorandum RC.No.000252/Crime 4(2)/2019 dated 07.02.2019. The petitioners shall comply with the terms of the notice and shall also co-operate with the investigation.

4. If the petitioners comply and continue to comply with the terms of the notice, they shall not be arrested for the offences referred to therein. If, however, arrest is deemed necessary after the appearance of the petitioners, the Investigation Officer shall record reason for such an eventuality as contemplated under Section 41A (3) of the Code of Criminal Procedure, and shall adhere to the directions set out by this Court in **State .Vs. Nakeeran Gopal** reported in **[2019 1 LW (Cr1.) 26]**

5. If the petitioners evade service of appearance notice or fail to comply with the terms of the notice or appear to be unwilling to identify himself when called upon, it shall be open to the respondent Police to proceed under Section 41A(4) of the Code of Criminal Procedure, to arrest the accused.

6. This Criminal Original Petition is disposed of with the aforesaid directions. Consequently, connected miscellaneous petition is closed.

sd/-

04/06/2021

/ 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 INSPECTOR OF POLICE,  
DISTRICT CRIME BRANCH,  
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.

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



2.THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP (MD) . No.6989 of 2021  
and  
CRL MP (MD) No.3780 of 2021  
Date :04/06/2021

RMI  
TK/PN/SAR.3/10.06.2021/3P/3C