



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

Date : 10/06/2021

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.7599 of 2021

Pavithran ... Petitioner/Accused No.Rank Not Known

Vs

State through
The Inspector of Police,
Sawyerpuram Police Station,
Thoothukudi District.
Crime No. 72 of 2021. ... Respondent/Complainant

For Petitioner : Mr.A.Jayaramachandran
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Counsel (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.72 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel on either side.

2.The petitioner apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147 and 435 of IPC in Crime No.72 of 2021 on the file of the respondent police and seeks anticipatory bail.

3.The petitioner's counsel would state that in the complaint given by the defacto complainant, it is mentioned only as an accidental fire and the petitioner has not at all been named. He also stated that the 1st accused has been arrested and had been granted bail.

4.The learned Government Counsel would point out that the petitioner is having bad antecedents and he is having two previous cases also.

5.The petitioner undertakes to deposit a sum of Rs.5,000/- to the credit of Cr.No.72 of 2021 before the jurisdictional Magistrate,



within a period of two weeks from the date of receipt of a copy of this order.

6. Subject to this condition, this Court is inclined to grant anticipatory bail to the petitioner.

WEB COPY

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest by the respondent police on executing personal bonds for a sum of Rs.5,000/- [Rupees Five Thousand only] with two sureties each for a likesum to the satisfaction of the respondent police and on further condition that the petitioner shall appear before the learned Judicial Magistrate No.1, Thoothukudi and execute fresh personal bonds for a sum of Rs.5,000/- [Rupees Five Thousand only] with two sureties each for a likesum to the satisfaction of the concerned Judicial Magistrate, within a period of one month, from the date of resumption of regular work in subordinate Courts in view of the present pandemic situation and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bonds and the Magistrate may obtain a copy of their Aadhar cards or Bank pass Books to ensure their identity;

[b] The petitioner shall appear before the respondent police daily at 10.30 am., for a period of two weeks;

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

[d] the petitioner shall not tamper with evidence or witness 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

10/06/2021

/ 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 JUDICIAL MAGISTRATE NO. I,
THOOTHUKUDI.

2. -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE,
SAWYERPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.7599 of 2021

Date : 10/06/2021

MM

AE/PN/SAR-1/18.06.2021/3P/5C