



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2021

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PRESENT

The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL OP(MD) . No.9745 of 2021

K.Suresh

... Petitioner/Accused (Rank Not Known)

Vs

The State rep.by,
The Inspector of Police,
District Crime Branch,
Ramanathapuram District.
(Crime No.18 of 2021)

... Respondent/Complainant

For Petitioner : Mr.D.Balamurugapandi,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabhakar,
Additional Public Prosecutor.

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

PRAYER :-For Anticipatory Bail in Crime No.18 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of IPC in Crime No.18 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the third husband of A1. A-1 and A-2 said to have received a sum of Rs.70,000/- from the de-facto complainant for getting Government job. Hence, the complainant.

3.The learned counsel for the petitioner submitted that the petitioner is employed in 8th Pattalian at Manimutharu and he is innocent and he is no way involved in the collection of any amount from any one.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that A-1 and A-2 said to have received a sum of Rs.70,000/- from the de-facto complainant for getting



Government job and A-1 had already married four persons including the petitioner, who is the third husband of A-1. He further submitted that A-1 and A-2 had already been arrested and they are in prison.

5. Considering the submission of the learned Additional Public Prosecutor and the fact that no specific allegation is made against this petitioner in the First Information Report, 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 on 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, Ramanathapuram, Ramanathapuram District 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 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]**.

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

sd/-

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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.

WEB COPY

TO

1 THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
RAMANATHAPURAM DISTRICT.

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

+1 CC to Mr.D.BALAMURUGAPANDI, Advocate(SR-4800[I] dated 23/07/2021)

ORDER

IN

CRL OP(MD) No.9745 of 2021

Date :22/07/2021

SJI

MK/JM/SAR.IV/26.07.2021/3P/6C