



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

Date : 22/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.15540 of 2021

M. Vijayakumar, ... Petitioner/Sole Accused

Vs

State Rep by
The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District
Cr.No.438 of 2021. ... Respondent/Complainant

For Petitioner : M/s. Veerakumar.T., Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :-

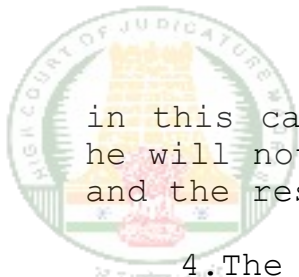
For Anticipatory bail in Crime.No.438 of 2021 on the file of the Respondent Police

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 354(A), 509 & 506(i) of IPC in Crime No.438 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant and the petitioner threatened the defacto complainant with dire consequences. Therefore, the present case came to be registered.

3.The learned counsel for the petitioner submitted that the
<https://hccservices.mca.gov.in/hccservices/> innocent person and he has been falsely implicated



in this case. Further, he has also filed an affidavit stating that he will not make any hindrance or trouble to the defacto complainant and the respondent Police.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that the investigation is yet to be completed.

5.Considering the facts and circumstances of the case, the nature of allegation levelled against the petitioner, and the affidavit filed by the petitioner that he will not make any hindrance or trouble to the defacto complainant and the respondent police, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and 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, Kamuthi, Ramanathapuram District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police once in a week i.e., every monday at 10.30 a.m., until further orders.

[c]the petitioner shall not tamper with the 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

sd/-
22/10/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

ssb

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,
Kamuthi, Ramanathapuram District.
2. Do Through The Chief Judicial Magistrate,
Ramanathapuram.
3. The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.T.VEERAKUMAR, Advocate (SR-7330[I] dated 22/10/2021)

ORDER IN
CRL OP(MD) No.15540 of 2021
Date : 22/10/2021

TR/PN/SAR-III(28.10.2021) 3P 6C