



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

Date : 20/10/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.15630 of 2021

WEB COPY

Jegadheeshwaran ... Petitioner / Accused Rank not known

Vs

State through

The Inspector of Police,
Keelakarai Police Station,
Ramanathapuram District.

(Cr.No.252/2021).

... Respondent / Complainant

For Petitioner : Mr.R.Alagumani,
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.252 of 2021 on the file of the Respondent Police

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 147, 148, 294(b), 324, 379 and 506(ii) I.P.C, in Crime No.252 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 26.09.2021, the defacto complainant and his family were threatened by twenty unknown persons and they have snatched 15 sovereigns of gold chain from the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner's name was not found in the FIR and a false case has been foisted as against him. Hence, he prays for grant of anticipatory bail.

<https://hcservices.courtsgov.in/hcservices/> The learned Government Advocate(Crl.side) appearing for the respondent police strongly opposed for grant of anticipatory bail to this petitioner on the ground that the petitioner is having two



previous cases to his credit and also submitted that the respondent police is intending to open history sheet as against this petitioner.

5. Though the petitioner and 19 other accused have snatched away the gold chain weighing about 15 sovereigns from the defacto complainant, not even a single laceration has been noted by the investigating agency on the defacto complainant.

6. In view of the above and considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.I, Ramanathapuram, 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 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 daily at 10.30 a.m until further orders.

(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]**; and;

(f) if the accused/ petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
20/10/2021

/ 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.

WEB COPY

- TO
- 1.THE JUDICIAL MAGISTRATE NO.I,
RAMANATHAPURAM DISTRICT.
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 - 3.THE INSPECTOR OF POLICE,
KEELAKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
 - 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
CRL OP(MD) No.15630 of 2021
Date :20/10/2021

SB/VR/SAR-IV/28.10.2021/3P/5C