



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.11.2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.17045 of 2021

1.Sornagopi

2.Murugesh

... Petitioners/Accused Nos.1 and 4

Vs

State rep by,
The Inspector of Police,
Tiruchendur Taluk police station,
Tiruchendur.
(Crime No. 375 of 2021)

... Respondent/Complainant

For Petitioner : Mr.M.M.Manivel Pandian,Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl. side)

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

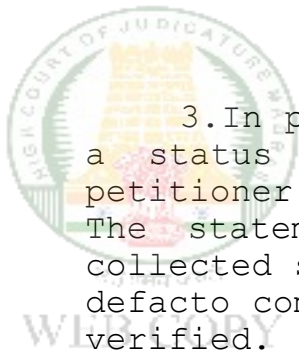
PRAYER :-

For Anticipatory Bail in Crime No.375 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 and A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 448, 294(b) and 506(ii) of IPC in Crime No.375 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.When the matter was taken up on 02.11.2021, on hearing the learned counsel for the petitioner as well as the learned Government Advocate (Criminal side), this Court has granted interim anticipatory bail and directed the petitioner to appear before the respondent police from 05.11.2021 to 15.11.2021 and co-operate for the enquiry and further directed the respondent police to conduct an enquiry with regard to the averments made in the complaint and file a report before this Court.



3. In pursuance of the order of this Court, the police has filed a status report and whereunder it has been stated that the petitioner had appeared before them and co-operated for enquiry. The statement of the accused were recorded. They have also collected some details regarding pledging of jewels belonging to the defacto complainant in Manapuram Gold Finance and the same are to be verified.

4. Considering the fact that except the offence under 506(ii) all other offences are bailable nature and that the petitioners have appeared and co-operated for enquiry and also the fact that no previous case has been filed against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tiruchendur on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners 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 petitioners shall report before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

25/11/2021

/ TRUE COPY /

/ /2021

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



PNN

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,
TIRUCHENDUR.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE,
TIRUCHENDUR TALUK POLICE STATION,
TIRUCHENDUR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.17045 of 2021
Date :25/11/2021

PKP/JC/SAR-4/03.12.2021/3P/5C