



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

Wednesday, the Fifteenth day of December Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) No.19700 of 2021

P.SENTHIL KUMAR

... PETITIONERS/ACCUSED
(RANK NOT KNOWN)

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KAMUTHI POLICE STATION,
KAMUTHI,
RAMANATHAPURAM DISTRICT
(CRIME NO.728 OF 2021)

... RESPONDENT

For Petitioner : M/S. DINESH HARI SUDARSAN.M. Advocate
For Respondent : M.MUTHUMANIKKAM,
Govt. Advocate (Crl. Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.728 OF 2021 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 341, 352, 506 (ii) of I.P.C., and Section 3(1) of TNPPDL Act, 1984, in Crime No.728 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that on 29.10.2021 at about 15.30 hrs, while the de-facto complainant was discharging his duties, the petitioner and the other accused persons blocked the way, abused the de-facto complainant with filthy language, threatened with the dire consequences and caused damages to the patrolling vehicle to the value of Rs.8,000/- . Hence the present complaint.

3.The learned counsel for the petitioner would submit that the petitioner was working as an Assistant Professor at Sethu Institute of Technology, Madurai. Since the earlier anticipatory bail petition filed by the petitioner was dismissed, the petitioner was placed



under suspension. The learned counsel for the petitioner would further submit that the petitioner name is P.Senthil Kumar but in the FIR registered, his name is shown as Senthikumar (Senthil).

4.The learned Government Advocate (Crl.Side) would submit that the respondent police has registered a FIR in Crime No.794 of 2021 for the alleged offence under Sections 181, 203, 468 and 471 IPC., against the petitioner and the investigation is pending.

5.Earlier, this Court, in the anticipatory bail petition filed by the petitioner in Crl.O.P(MD) No.17308 of 2021, by observing that the petitioner has come out with false case of attending the college on the particular day, and produced the alleged forged attendance register before this Court, dismissed the petition, vide order dated 22.11.2021.

6.Considering the facts and circumstances of the case and also considering the nature of the charges levelled against the petitioner, and taking note of the facts that the petitioner has no previous cases for similar or serious offence, and that the co-accused were already granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7.Accordingly, the petitioner shall pay a sum of **Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Government of Tamil Nadu, Chief Minister Public Relief Fund (CMPRF) in IOB, Secretariat Branch, Chennai-9** (Account No.11720 10000 00070, IFSC Code: IOBA0001172), without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate, Kamuthi, Ramanathapuram District.

8.On production of such receipt/acknowledgment, 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/concerned court 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., for a period of 30 days and thereafter, 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.

WEB COPY [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 229A IPC.

sd/-
15/12/2021

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
KAMUTHI, RAMANATHAPURAM DISTRICT.
- 2 DO THOROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE
KAMUTHI POLICE STATION, KAMUTHI,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

THE OFFICER-INCHARGE,
CHIEF MINISTER PUBLIC RELIEF FUND,
GOVERNMENT OF TAMIL NADU, SECRETARIAT,
CHENNAI-9.

ORDER IN
CRL OP(MD) No.19700 of 2021
Date :15/12/2021