



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.12.2021

WEB COPY

PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD) . No.20193 of 2021

Poomurugan

... Petitioner/Accused Rank Not
Known

Vs

The State represented by
The Inspector of Police,
Perungudi Police Station,
Madurai District.
(Crime No.286 of 2021)

... Respondent/Complainant

For Petitioner : Mr.R.Udhayakumar
Advocate.

For Respondent : Mr.RMS.Sethuraman
Additional Public Prosecutor

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

PRAYER :-

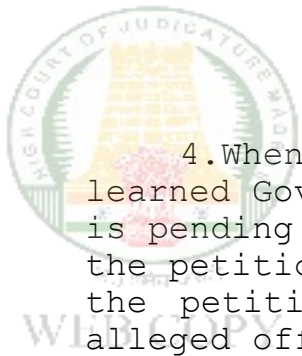
For Anticipatory Bail in Crime No.286 of 2021 on the file of the
Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of
the respondent police for the offence punishable under Section 392
IPC in Crime No.286 of 2021, on the file of the respondent police,
seeks anticipatory bail.

2.The allegation against the petitioner is that the petitioner
and other accused had waylaid the de-facto complainant and snatched
his Real-me 5S Cell Phone-I, worth about Rs.5,000/- and along with
cash of Rs.30,000/-.

3.Earlier, the petitioner and other accused have filed a
<https://heservices.courts.gov.in/heservices/peccservlet.do?app=peccservlet.do&app=peccservlet.do>
petition for anticipatory bail in Crl.O.P.(MD)No.19043 of 2021, in
respect of the case, which is pending on the file of the Perungudi
Police Station, Madurai District relating to Crime No.Not known.



4. When the matter was taken up for hearing on 02.12.2021, the learned Government Advocate (Criminal Side) would submit that no FIR is pending against the petitioner, as far as the offence referred in the petition, but the respondent police is suspecting involvement of the petitioner herein in Crime Nos.286 and 169 of 2021 for the alleged offence under Section 392 IPC. At that juncture, the learned counsel for the petitioners sought permission to withdraw the petition and that petition was ordered to be dismissed as withdrawn.

5. The second petitioner in Crl.O.P.(MD)No.19043 of 2021 has filed the second petition seeking anticipatory bail.

6. The learned counsel for the petitioner would submit that the petitioner was granted statutory bail in Crime No.169 of 2021 for the alleged offences under Sections 109, 324, 307 and 302 IPC and the petitioner has no connection whatever in both the cases including the present case.

7. The learned Additional Public Prosecutor would submit that the respondent police is still suspecting the involvement of the petitioner, but as of now the prosecution has no material and evidence against the petitioner in the present case.

8. Considering the above, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

9. 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 learned Judicial Magistrate Court No.VI, Madurai 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 learned 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 daily at 10.30 a.m. for a period of thirty days and thereafter, as and when required for interrogation.

(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

https://hcservices.ecourts.in/hcservices/ ~~services~~ 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**



5560J; and;

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

sd/-
17/12/2021

/ TRUE COPY /

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

CSM

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 NO.VI,
MADURAI DISTRICT.
- 2.DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
PERUNGUDI POLICE STATION,
MADURAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.20193 of 2021
Date :17/12/2021

SB/JC/SAR-I/23.12.2021/3P/5C