



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

Date : 22/02/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.3245 of 2022

Tamil Raja

... Petitioner/1st Accused

Vs

The State rep.by,
The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(Crime No.71/2022)

... Respondent/Complainant

For Petitioner : Mr.T.Lajapathi Roy,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.71 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The Petitioner / accused, who apprehends arrest at the hand of the respondent police for the alleged offence punishable under Sections 384, 420 and 506(i) I.P.C., in Crime No.71 of 2022, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and his brothers, who are running the Angel Technical Engineering Services Pvt Ltd., used to hold 40% of the salary of the workers and pay only 60% of the salary. Hence, the present complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is innocent and a false complaint has been made against the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the State would submit that 40% of the salary amount was not paid for the past 3 years for nearly 65 persons and 11 persons have preferred



5. When the matter was taken up on 18.02.2022, the learned Counsel for the petitioner submitted that the petitioner is ready to deposit a sum of Rs.10,00,000/- before the jurisdictional Magistrate Court. In pursuance of the same, today, he has filed an affidavit sworn by the petitioner whereunder, he has given a specific undertaking that he will deposit a sum of Rs.10,00,000/- before the Judicial Magistrate, Radhapuram, Tirunelveli.

6. Considering the nature of charges levelled against the petitioner and also the fact that the petitioner is not having any bad antecedents and taking note of the fact that the petitioner has given a specific undertaking that he will deposit a sum of Rs.10,00,000/- before the jurisdictional Magistrate Court, this Court is inclined to grant anticipatory bail to the petitioner with conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of his 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, Radhapuram, Tirunelveli 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

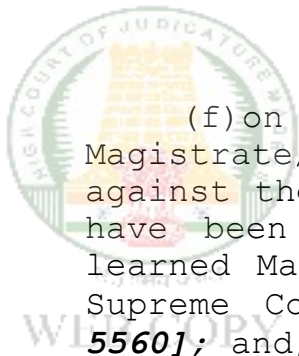
a) the petitioner is directed to deposit a sum Rs.10,00,000/- (Rupees Ten Lakhs only) to the credit in Crime No. 71 of 2022 before the learned Judicial Magistrate, Radhapuram, Tirunelveli within a period of 15 days from the date of receipt of a copy of this order and on such deposit the learned Magistrate shall accept the sureties;;

(b) 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;

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

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;



(f) 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;

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

sd/-
22/02/2022

/ TRUE COPY /

/ /2022
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.

TO

- 1 THE JUDICIAL MAGISTRATE,
RADHAPURAM, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
KODANKULAM POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to MR.T.LAJAPATHY ROY, Advocate (SR-1409[I] dated 23/02/2022)

ORDER
IN
CRL OP(MD) No.3245 of 2022
Date :22/02/2022

SSL
MK/VR/SAR.I/25.02.2022/3P/6C