



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/03/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.4195 of 2022

Krishnan

... Petitioner/Accused (Sole)

Vs

The State rep.by,
The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
(Crime No. 33 of 2022)

... Respondent/Complainant

For Petitioner : Mr.C.Senthil Murugan,
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.33 of 2022 on the file of the respondent Police.

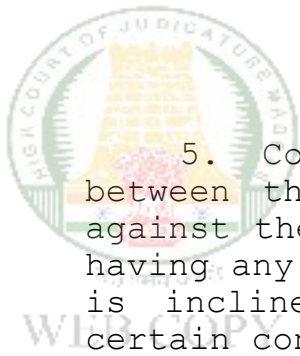
ORDER : The Court made the following order :-

The petitioner/Sole Accused , who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 420 & 506(ii)I.P.C., in Crime No.33 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute, the petitioner is alleged to have threatened the defacto complainant with dire consequences and also abused with filthy language. Hence, the present complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl.Side) appearing for the State would submit that there is a money dispute between the parties and investigation is going on.



5. Considering the fact that there existed money dispute between the parties and also the nature of the charges levelled against the petitioner and also the fact that the petitioner is not having any previous case for similar or serious offences, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 No.1, 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 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 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 06.00p.m., for 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;

(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/-
03/03/2022

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

ORDER
IN
CRL OP(MD) No.4195 of 2022
Date :03/03/2022

SSL
MK/VR/SAR.II/08.03.2022/3P/5C