



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 21/03/2022
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.4354 of 2022

Ramakrishnan

... Petitioner/Accused No.2

Vs

The State rep.by
The Inspector of Police,
Vaiyampatty Police Station,
Vaiyampatty,
Trichy District.
(Crime No. 79 of 2022).

... Respondent/Complainant

For Petitioner : M/s.ARUNRAJ.K.,
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. 79 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused No.2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 506(ii) I.P.C., in Crime No.79 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused had received a sum of Rs.80,000/- and 7 ³/₄ sovereigns of gold jewels from the defacto complainant for arranging a job in Anganvadi centre, however, the first accused did not arrange it and when the defacto complainant enquired about the same, the first accused threatened the defacto complainant by stating that she would kill her with the help of her boy friend, the petitioner herein. Hence, the present complaint.

3. The learned Counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the only allegation against the petitioner is that the first accused had threatened the others that she would kill them through the petitioner and except the above allegation, there is no other allegation against him.



4. The learned Government Advocate (Crl.Side) appearing for the State would submit that there arose a dispute between the parties with regard to getting a job in Anganvadi centre and the investigation is going on.

5. Considering the nature of the charges levelled against the petitioner and also the fact that the petitioner is not having any bad antecedents, 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, Manapparai 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 10.30a.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.

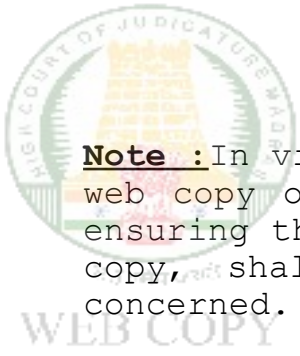
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21/03/2022

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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
MANAPPARAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE,
VAIYAMPATTY POLICE STATION,
VAIYAMPATTY,
TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S. ARUNRAJ.K. Advocate SR.No.2293

**ORDER
IN**

CRL OP(MD) No.4354 of 2022
Date :21/03/2022

SA/SBN/SAR.3/24.03.2022/3P/6C