



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 04/04/2022
PRESENT

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The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD) . No.5508 of 2022

1. R.Paneerdoss

2. S.Stephenson ... Petitioners/ Accused Nos.3 & 4

Vs

The Inspector of Police,
Central Crime Branch,
Trichirapalli,
(Crime No. 7 of 2020). ... Respondent/Complainant

For Petitioners : Mr.R.Sreedhar,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 7 of 2020 on the file of the respondent Police.

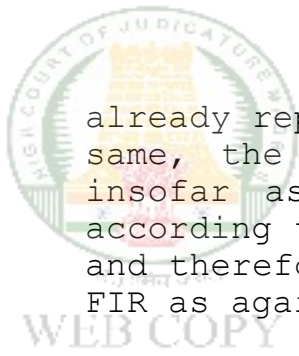
ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 120(B) IPC seek anticipatory bail.

2. Heard learned counsel on both sides.

3. This Court, already granted anticipatory bail for the petitioner in Crl.O.P(MD)Nos.9557 and 9580 of 2020, by order, dated 21.12.2020. However, the petitioner failed to surrender and execute any sureties as directed by this Court within a period of 15 days from the date of receipt of copy of that order.

4. The learned counsel for the petitioners would submit that after granting of anticipatory bail, simultaneously the petitioner also filed a quash petition to quash the FIR on the ground that the amount which was received by the first petitioner for A.3, was



already repaid to the defacto complainant and at the strength of the same, the defacto complainant had no objection to quash the FIR insofar as A.3 is concerned. Insofar as A.4 is concerned, even according to the defacto complainant, A.4 did not receive any amount and therefore, the defacto complainant has no objection to quash the FIR as against A.4.

5. However, the quash petition filed by the petitioners was duly contested by the defacto complainant. As such, this Court dismissed the quash petition in Crl.O.P.No.15644 of 2020 dated 11.03.2022. Now, after dismissal of the quash petition, the petitioners apprehending arrest at the hands of the respondent herein, filed the present petition.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners/Accused Nos.3 & 4 are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Trichy, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 petitioners 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 petitioners shall report before the respondent police as and when required for interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners/Accused Nos.3 & 4 thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

04/04/2022

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/ /2022

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

MGA

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.II,
TRICHY.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
 - 3 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH, TRICHIRAPALLI
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.SREEDHAR.R, Advocate SR.No.2935

ORDER

IN

CRL OP(MD) No.5508 of 2022

Date :04/04/2022

SS/PN/SAR:II/08.04.2022 : 3P/6C