



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.04.2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.6846 of 2022

V.Sathish

... Petitioner/Accused No.7

Vs

The State rep.by
The Inspector of Police,
Sathankulam Police Station,
Tuticorin District.
Crime No.65 of 2020

... Respondent/Complainant

For Petitioner : Mr.K.SAMIDURAI,
Advocate.

For Respondent : Mr.R.SIVAKUMAR,
Government Advocate (Crl.Side)

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

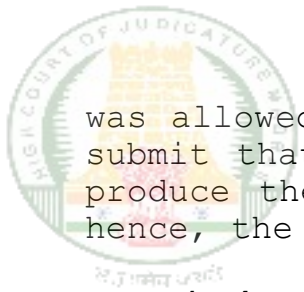
PRAYER :- For Anticipatory Bail in Crime No.65 of 2020 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A7, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 295(A) and 506(ii) IPC, in Cr.No.65 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the District Leader of the Hindu Munnani. On the date of occurrence, all the accused are said to have unlawfully assembled and distributed the pamphlets about Christianity at Puliyankulam and degraded the Hindu Religion. When the same was questioned by the de-facto complainant and others, all the accused are said to have attacked the de-facto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner has earlier filed a petition for anticipatory bail in Crl.O.P.(MD)No.4149 of 2021 along with other accused and the same



was allowed by this Court with certain conditions. He would further submit that due to covid-19 restrictions, the petitioner could not produce the sureties within the time prescribed by this Court and hence, the petitioner is constrained to move the above application.

4.The learned Government Advocate (Crl. side) would submit that the investigation is almost completed.

5.Considering the above facts and circumstances and also considering the facts that the petitioner was already granted anticipatory bail by this Court and that the investigation is almost completed as stated by the learned Government Advocate (Crl. side), this Court is inclined to grant anticipatory bail to the petitioner, but with certain conditions.

6.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, Sathankulam, 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 conditions 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 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 petitioner in accordance with law as if the conditions have been imposed 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 5560]***; and;

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

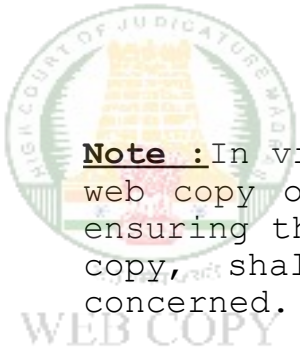
sd/-

13/04/2022

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

+1. CC to M/S.SAMIDURAI.K. Advocate SR.No.3347

ORDER

IN

CRL OP(MD) No.6846 of 2022

Date :13/04/2022

SA/PN/SAR.2/21.04.2022/3P/6C