



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 05/05/2022

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD) . No.5332 of 2022

WEB COPY

Rajakumar

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Koodankulam Police Station,
Koodankulam,
Tirunelveli District.
(*)Cr.No.152 of 2022.

... Respondent/Complainant

(*)Amended as per order of this Hon'ble
Court dated 26.04.2022 in CRL MP(MD)
No.5095/2022 in CRL OP(MD) No.5333/2022.

R.Sutharasan

... Petitioner/Defacto Complainant

For Petitioner : M/s.S.Palani Velayutham, Advocate.
For Respondent : Mr.R.Sivakumar,
Government Advocate (Crl.Side)
For Intervenor : Mr.S.Rajesh Kumar, Advocate

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

PRAYER :-

For Anticipatory Bail in (*)Crime No.152 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 offence punishable under Sections
384 and 506(i) of IPC, in Crime No.152 of 2022 on the file of the
respondent police, seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioner and
the learned Government Advocate (Crl. Side), appearing for the
respondent police.

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 (Criminal Side) appearing for the respondent police would submit that no one has sustained injury in this case.

5.Considering the facts and circumstances of the case and also considering the fact that no one has sustained injury in this case, 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 arrest or on 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 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 Aadhaar card or bank pass book to ensure their identity.

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

[c]the petitioner shall not tamper with the 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]**.

sd/-

05/05/2022

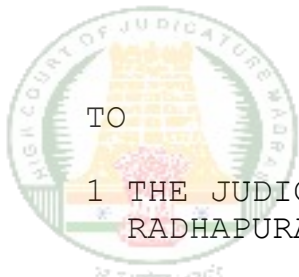
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/ /2022

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.

<https://hcservices.ecourts.gov.in/hcservices/>



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,
KODANKULAM,
TIRUNELVELI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.PALANIVELAYUTHAM, Advocate (SR-4436[I] dated
06/05/2022)

ORDER
IN
CRL OP(MD) No.5332 of 2022
Date :05/05/2022

RS/SVR/SAR.4 (09.05.2022) 3P-6C