



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 06/05/2022

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH
CRL OP(MD).No.7633 of 2022

1.R.Ramalingam
2.R.Saravana Raj

... Petitioners/Accused

Vs.

The State Represented by
The Inspector of Police,
Pavoor Chathiram Railway Police,
Pavoor Chathiram,
Tenkasi District.
Cr.No.13 of 2022.

... Respondent/Complainant

For Petitioner : M/s.M.Karunanithi
for M/s.Meenakumari.S.S,
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.13 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners have been implicated for the offences under Sections 174 of IPC and Section 306 of IPC in Crime No.13 of 2022, on the file of the respondent police, seek anticipatory bail.

2.Heard both sides.

3.The learned counsel for the petitioner submitted that the case is pending before the Tenkasi Railway police station and he has filed a memo to that effect.

4.The said memo is recorded.

5.In connection with the commercial transaction, the petitioner herein seems to have given a complaint in the Cyber Crime Cell at



Chennai. The complaint came to be taken up on file based on the orders of this Court passed in Crl.O.P.(MD)No.34129 of 2019 and accordingly registered in Crime No.38 of 2022. The accused in the said First Information Report seems to have committed suicide, owing to his implication in the criminal complaint. The petitioner is now charged for the offences under Sections 306 of IPC.

6.The implication of the deceased in the criminal case was based on the directions of this Court and therefore this Court is of the view that the petitioner's case can be considered for anticipatory bail.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tenkasi, on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

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

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

sd/-

06/05/2022

/ 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,
TENKASI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE
PAVOOR CHATHIRAM RAILWAY POLICE,
PAVOOR CHATHIRAM, TENKASI DISTRICT.
- 4 THE INSPECTOR OF POLICE,
TENKASI RAILWAY POLICE,
TENKASI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.MEENAKUMARI.S.S. Advocate SR.No. 4408

ORDER
IN
CRL OP(MD) No.7633 of 2022
Date :06/05/2022
(1/2)

SS/SVR/SAR:II/09.05.2022 : 3P/7C