



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 11/05/2022

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) . No.7974 of 2022

P.Balasubramanian

... Petitioner / Accused No.1

Vs

The Inspector of Police,
Vembakkottai Police Station,
Vembakkottai,
Virudhuangar District.
(*) (Crime No.134 of 2022)

... Respondent/Complainant

For Petitioner : Mr.S.Prabha
Advocate.
For Respondent : Mr.S.Ravi
Additional Public Prosecutor.

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

PRAYER :-For Anticipatory Bail in **(*)Crime No.134 of 2022** on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 9[B](1)(a) of Indian Explosive Act in **(*)Crime No.134 of 2022**, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is said to have prepared white thread without license. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. Based on the false information, the above case was foisted against the petitioner and hence he seeks anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the petitioner is having one previous case which ended in conviction and the investigation of the case is almost completed.



5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner. 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 No.II, Sattur, Virudhunagar District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties each for a like sum to the satisfaction of the respondent police or 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 10.30 a.m for a period of two weeks, thereafter, as and when required;

(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/-

11/05/2022

(*) Amended as per order of this Court dated 19/01/2023 in CrI.MP (MD).907/2023 in CrI.OP(MD).7974/2022.

(*) Time is also extended Further for a period of two weeks, from the date on which the order is copy made ready.

/ TRUE COPY /

/02/2023

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



TO

TO BE SUBSTITUTED WITH THE ORDER DATED 11/05/2022 ALREADY DESPATCHED

- 1 THE JUDICIAL MAGISTRATE NO.II,
SATTUR, VIRUDHUNAGAR DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE
VEMBAKKOTTAI POLICE STATION, VEMBAKKOTTAI,
VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to MR.S.PRABHA, Advocate SR.No.4677.

ORDER

IN

CRL OP(MD) No.7974 of 2022

Date :11/05/2022

pnn / sn

MK/VR/SAR.II/13.05.2022/3P/6C

SS/BUC/SAR-II/01.02.2023/3P/6C