



WEB COPY

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.8531 of 2022

Kamaraj

... Petitioner/Accused 1

Vs

State rep.by
The Inspector of Police,
Samayapuram Police Station,
Trichy District.
(Crime No.92/2022).

... Respondent/Complainant

For Petitioner : M/s.J.Yesu Subananth, 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.92 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner / accused No.1, apprehending arrest at the hands of the respondent police for the offences punishable under sections 442, 294(b), 387 and 506(ii) of I.P.C., in Crime No.92 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

3.The learned counsel appearing for the petitioner would submit that owing to the enmity among the petitioner and the defacto complainant, this false case has been registered.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that it is a case in counter case and the investigation is in progress.



5.The overt act attributed against the petitioner herein is that he had scolded the defacto complainant with filthy words and demanded money by threatening him.

6.Taking into account the nature of the overt act attributed against the petitioner and the offence for which the petitioner has been implicated is not a major offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.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.III, Trichy, 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 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 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

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE NO.III
TRICHY.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3. THE INSPECTOR OF POLICE,
SAMAYAPURAM POLICE STATION,
TRICHY DISTRICT.

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

+1. CC to M/S. J.YESU SUBANANTH, Advocate SR.No.4315

ORDER

IN

CRL OP(MD) No.8531 of 2022

Date :05/05/2022

SP/VR/SAR IV/10/05/2022/3P/6C