



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.06.2022

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PRESENT

The Hon`ble Mr.Justice **K.MURALI SHANKAR**

CRL OP(MD) . No.9882 of 2022

Ramkumar Alias Kumar Pandian ... Petitioner/1st Accused Person

Vs

The State rep.by,
The Sub-Inspector of Police,
Sivagiri Police Station,
Tenkasi District.
(Crime No.91 of 2022)

... Respondent/Complainant

For Petitioner : Mr.G.Anto Prince
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

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

PRAYER :-

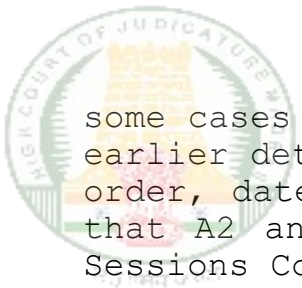
For Anticipatory Bail in Crime No.91 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 387 and 506(ii) IPC, in Cr.No.91 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that on 02.03.2022, when the de-facto complainant was consuming tea, the petitioner came there in Bajaj Discover, abused him in filthy language and demanded money from him by showing aruval. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is a Counselor for Ullar Thalavaipuram Panchayat at Tenkasi. Due to political motive, the present case as well as



some cases have been foisted against him and that the petitioner was earlier detained under Act-14 of 1982 and the same was revoked, vide order, dated 18.05.2022 in G.O.RI.No.2868. He would further submit that A2 and A3 were already arrested and released on bail by the Sessions Court.

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4.The learned Government Advocate (Crl. side) would submit that except the present case and the case registered in Crime No.89 of 2022, the petitioner is not having any previous case for property offence.

5.Considering the above facts and circumstances and also considering the nature of the charges levelled against the petitioner and also the fact that the co-accused have already been released on bail by the Sessions Court, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional District Munsif cum Judicial Magistrate, Sivagiri, 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 daily at 10.30 am for a period of one month and thereafter, 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/-
10/06/2022

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/ /2022

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

sj i

TO

1.THE ADDITIONAL DISTRICT MUNSIF
CUM JUDICIAL MAGISTRATE,
SIVAGIRI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TENKASI DISTRICT.

3.THE SUB-INSPECTOR OF POLICE,
SIVAGIRI POLICE STATION,
TENKASI DISTRICT.

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

+1. CC to M/S.ANTO PRINCE G, Advocate SR.No.5449

ORDER
IN
CRL OP (MD) No.9882 of 2022
Date :10/06/2022

RK/JM/SAR /15.06.2022 : 3P/6C