



WEB COPY

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

Date : 15/06/2022

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD) . No.10610 of 2022

1.Rahul
2.Sridhar @ Sridharan ... Petitioners/Accused 4 and 11

Vs

The State rep.by
The Inspector of Police,
Palani Adivaram Police Station,
Dindigul District.
Crime.No.95 of 2022. ... Respondent/Complainant

For Petitioners : Mr.N.Adithya Vijayalayan, Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

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

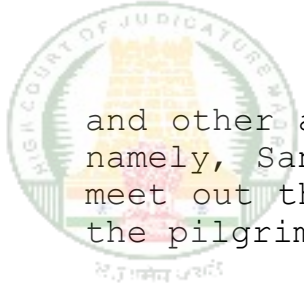
PRAYER :-

For Anticipatory Bail in Crime No.95 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/accused No.4 & 11, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120-B and 399 of IPC, in Cr.No.95 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that on 16.05.2022 at about 01.00 p.m., when the de-facto complainant along with his subordinates was on patrol duty, they found the petitioners along with other accused in a suspicious manner. On seeing the police party, they tried to escape from that place. The police nabbed only four persons and they gave a confession stating that the petitioners



and other accused had taken revenge for the murder of their friend, namely, Sankar @ Mandaiyan Sankar in the year 2019 and in order to meet out the case expenses, they had decided to commit dacoity from the pilgrims visiting Palani temple. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the first petitioner is having three previous cases and the second petitioner is having two previous cases. He would further submit that the co-accused was already granted anticipatory bail by this Court in Crl.OP(MD)No.9776 of 2022, vide order dated 10.06.2022.

5.Considering the above facts and circumstances of the case and also considering the nature of the charges levelled against the petitioners and also the fact that the co-accused was already granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioners, but with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Palani, on condition that the petitioner 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 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:

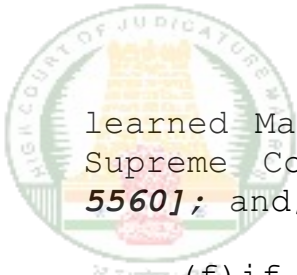
(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners 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 petitioners shall not tamper with 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Sd/-
15/06/2022

/ TRUE COPY /

21/06/2022
Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

das

TO

1. THE JUDICIAL MAGISTRATE,
PALANI.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
3. THE INSPECTOR OF POLICE,
PALANI ADIVARAM POLICE STATION,
DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.VENKATESH D Advocate SR.No.5597

ORDER
IN
CRL OP(MD) No.10610 of 2022
Date :15/06/2022

SP/JM/SAR II/21/06/2022/3P/6C