



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

Date : 23/09/2022

PRESENT

WEB COPY

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD) . No.12585 of 2022

Suresh

... Petitioner/Sole Accused

Vs

The State Rep. By,
The Inspector of Police,
Ramjee Nagar Police Station,
Trichy District.
Crime No.144 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Gopala Krishnan T,
Advocate.

For Respondent : Mr.M.Veerandhiran,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.144 of 2022 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands
of the respondent police for the offences punishable under Sections
294(b) and 506(2) IPC, in Cr.No.144 of 2022, seeks anticipatory
bail.

2.The case of the prosecution is that on 26.05.2022, the
petitioner abused the defacto complainant in filthy language and
threatened him with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the
petitioner is innocent and he has not committed any offence as
alleged by the prosecution. Hence, he prays for anticipatory bail
to the petitioner.

4.The learned Government Advocate(Crl.Side) strongly opposed
this petition on the ground that the petitioner is having two
previous cases and the investigation in this case is pending.



5. Considering the facts and circumstances of the case, considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioners 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 Judicial Magistrate No. III, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 until further orders.

(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/-

23/09/2022

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/10/2022

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



TO

1. THE JUDICIAL MAGISTRATE NO.III,
TRICHY.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
RAMJEE NAGAR POLICE STATION,
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.12585 of 2022
Date :23/09/2022

sj i
USK/VR/SAR-I/06.10.2022/3P/5C