



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

Date : 23/11/2022

PRESENT

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

CRL OP (MD) . No.13128 of 2022



WEB COPY
Pitchaikani

... Petitioner/Accused No.2

Vs

The State Rep.by
The Inspector of Police,
Thiruthangal Police Station,
Thiruthangal, Virudhunagar District.
Crime No.173 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Ananthkumar M, Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

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

PRAYER :-For Anticipatory Bail in Crime No.173 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

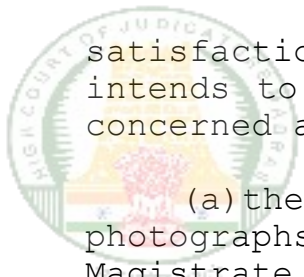
The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 420 of IPC, in Cr.No.173 of 2022, seeks anticipatory bail.

2.When the matter is taken up for hearing, the learned counsel for the petitioner would submit that the matter was already referred to mediation and in mediation, the matter was settled between the parties. Hence, he prays for grant of anticipatory bail to the petitioner.

3.The learned Government Advocate (Crl.Side) has also admitted the submission of the learned counsel for the petitioner and the mediation report was also enclosed with the petition.

4.Considering the facts and circumstances of the case and also considering the fact that the matter was settled between the parties through mediation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.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.2, Sivakasi, 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 to
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 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/-

23/11/2022

/ TRUE COPY /

/12/2022

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
concerned.

TO

1 THE JUDICIAL MAGISTRATE NO.2, SIVAKASI.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE

THIRUTHANGAL POLICE STATION, THIRUTHANGAL,
VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CRL OP(MD) No.13128 of 2022

Date : 23/11/2022

DSS

MK/VR/SAR III/07.12.2022/2P/5C

<https://www.mhc.tn.gov.in/judis>