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

Date : 14/09/2022

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) . No.13165 of 2022

Prakash

... Petitioner/Accused
(Rank Not Known)

Vs

State rep.by
The Sub Inspector of Police,
Jeeyapuram Police Station,
Trichy District.
(Crime.No.190 of 2022)

... Respondent/Complainant

Sridhar

... Petitioner/INtervener
(in Cr1.O.P.(MD)No.9041/2022)

For Petitioner : M/s.Pitchai Muthu.M, Advocate

For Respondent : Mr.M.Vaikkam Karunanithi.
Government Advocate (Cr1.Side)

For Intervenor : Mr.B.Mahendrarajan, Advocate

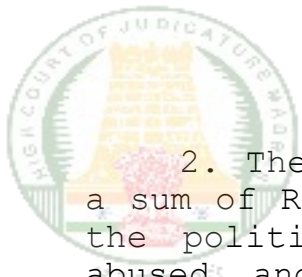
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.190 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 384, 506(i) IPC, in Crime No.190 of 2022, on the file of the respondent police, seeks anticipatory bail.



2. The case of the prosecution is that the petitioner demanded a sum of Rs.3,00,000/- from the defacto complainant as donation for the political party, when the same was refused, the petitioner abused and threatened him with dire consequences. Hence, the complaint.

3. On the side of the petitioner, it is stated that a false case was foisted against the petitioner. He is innocent and he has not committed any offence, as alleged by prosecution. Hence, prays to release him on anticipatory bail.

4. On the side of intervener, it is stated that the petitioner is doing real estate business and he demanded donation for his political party. The petitioner is having one previous case in Cr.No.515 of 2021, which was registered against the petitioner for his intervention in the Panchayat Meeting and hence, prays to dismiss the petition.

5. On the side of prosecution, it is stated that the petitioner demanded donation for his political party and he is having one previous case at his credit and hence, prays to dismiss the petition.

6. Considering the nature of the offence, considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 for a period of two weeks 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 be present before the Court on hearing dates and before the respondent police as and when required;



(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/-
14/09/2022

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/09/2022
Sub-Assistant Registrar (C.S.I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

TO

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

+1. CC to M/S. PITCHAI MUTHU.M Advocate SR.No.10092

ORDER
IN
CRL OP(MD) No.13165 of 2022
Date :14/09/2022