



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/10/2022

WEB COPY

PRESENT

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

CRL OP(MD).No.18852 of 2022

M.Marimuthu

... Petitioner/Sole Accused

Vs.

The State rep.by,
The Sub Inspector of Police,
Thirumayam Police Station,
Pudukkottai District.
(Crime No.259 of 2022)

... Respondent/Complainant

For Petitioner : Mr.P.Ganapathi Subramanian,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No.259 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 offence punishable under Sections 294(b) and 506(ii) IPC., in Crime No.259 of 2022, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to land dispute between the parties, the petitioner abused the de-facto complainant by using filthy language and threatened her 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.

4.The learned Government Advocate (Crl. side) would submit that the petitioner is having one previous case and hence, he strongly opposed to grant bail.



5. Considering the facts and circumstances of the case, the 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 District Munsif cum Judicial Magistrate, Thirumayam, 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 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 05.30 p.m.** 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/-

20/10/2022

/ TRUE COPY /

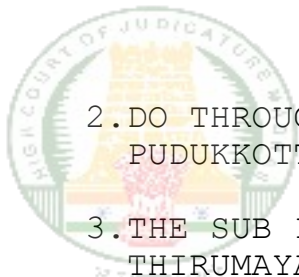
/11/2022

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

vsd

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, THIRUMAYAM.



2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI.

3.THE SUB INSPECTOR OF POLICE,
THIRUMAYAM POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1 CC to M/s.P.GANAPATHI SUBRAMANIAN, Advocate (SR-11838[I] dated
20/10/2022)

ORDER

IN

CRL OP(MD) No.18852 of 2022

Date :20/10/2022

RK/GB/SAR- (02/11/2022) 3P/6C