



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/02/2022

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.20531 of 2021

Neethi @ Neethirajan

... Petitioner/Accused No.1

Vs

State rep. by
The Inspector of Police,
Theriruvveli Police Station,
Ramanathapuram District.
(Crime No.59 of 2021)

... Respondent/Complainant

For Petitioner : M/s.R.Sankar Ganesh, Advocate.

For Respondent : M/s.T.Senthilkumar
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory bail in Crime No.59 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police, for the offence punishable under Sections 294(b), 452, 323, 324 and 506(ii) IPC, in Crime No.59 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2. This is the third anticipatory bail petition. The earlier anticipatory bail petitions were dismissed by this Court by orders dated 23.06.2021 and 11.08.2021, considering the antecedent and overact attributed against the petitioner.



3. Today, when this petition came up for consideration, the learned counsel for the petitioner submits that out of seven previous cases, five cases ended in acquittal and one case ended in conviction in Lok Adalat and one case alone is pending against the petitioner, as on date. He further submits that the petitioner is in the habit of doing some social activities and even on 27.01.2022, the petitioner has donated a sum of Rs.20,000/- to an orphanage. He also produced a receipt to that effect. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor also admits that out of seven cases against the petitioner, five cases ended in acquittal and one case ended in conviction and one case alone is pending against the petitioner.

5. Considering the change in circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the Criminal Original Petition is allowed. The petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Mudhukulathur, Ramanathapuram District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 Aadhaar card or bank pass book to ensure their identity;

[b]the petitioner shall report before respondent police as and when required for interrogation;

[c]the petitioner shall not tamper with the 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 is released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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Sd/-
17/02/2022

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

OGY

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,
MUDHUKULATHUR,
RAMANATHAPURAM DISTRICT.
 2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
 3. THE INSPECTOR OF POLICE,
THERIRUVELI POLICE STATION,
RAMANATHAPURAM DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to M/S.DICTUM LAW FIRM, R.SHANKAR GANESH, Advocate
SR.No.1306

ORDER
IN
CRL OP(MD) No.20531 of 2021
Date :17/02/2022