



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2023

PRESENT

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

WEB COPY

CRL.O.P(MD)No.4143 of 2023

Ramanichandran

...Petitioner/Accused No.3

-vs-

State through
The Inspector of Police,
Karur Town Police Station,
Karur
(in Cr.No.47 of 2021)

...Respondent/Complainant

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

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest by the respondent Police with respect to Cr.No. 47 of 2021.

For Petitioner : Mr.S.Ramesh Kumar,Advocate

For Respondent : Mr.A.Albert James
Government Advocate (Crl.side)

O R D E R

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 387 and 506(ii) IPC in Crime No. 47 of 2021 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant is that when the defacto complainant came in a two wheeler, the accused waylaid him and demanded Rs.1000/- and when he refused to give the amount, the accused by showing knife has taken Rs.1000/- from the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given. He would also submit that the petitioner is not involved in any previous case. He would pray for grant of anticipatory bail.



4.The learned Government Advocate (Crl.side) would submit that no previous case is pending against the petitioner and he would oppose for grant of anticipatory bail.

5. Heard and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, 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 on which the order copy made ready, before the learned Judicial Magistrate No.I, Karur, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 everyday at 10.30 a.m., for a period of two weeks and thereafter, every Saturday 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]**.

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

sd/-

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



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1 THE JUDICIAL MAGISTRATE NO.1,
KARUR

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

3 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION, KARUR.

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

+1 CC to M/s.S.RAMESHKUMAR, Advocate (SR-3302[I] dated 03/03/2023)

ORDER

IN

CRL OP(MD) No.4143 of 2023

Date :03/03/2023

PKP/VRS/SAR-3/(10.03.2023)/ 3P/ 6C