



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

Date : 07/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4356 of 2023

1. M.Karthik

2. V.Seenivasan ... Petitioners / Accused Rank not known

Vs

The State,
The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
Crime No.67 of 2023. ... Respondent / Complainant

For Petitioner : E.Mareeskumar, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.67 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 341, 294(b), 364A and 506(2) of I.P.C., in Crime No.67 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the de-facto complainant Raju is that his son-in-law Umayalingam is running a Sailinga Temple and conducting pooja and involving in social work. Whiles on 02.02.2023, his son-in-law after completing pooja had come along with one Gomathiraja and at that time, 6 persons waylaid him and kidnapped him and when the said Gomathiraja questioned them, they told that they will kill Umayalingam if they would not given Rs.7 lakhs and thereafter, the de-facto complainant has received a phone call No.96004 55310 and the person who called him



threatened him for ransom of RS.3 lakhs. Hence, the complain

3.Heard the learned counsel on either side.

4.It is seen that though the petitioners demanded money from the de-facto complainant, they have not received any money sofar.

5.Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Kovilpatti, on condition that the petitioners 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 petitioners 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 petitioners shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

07/03/2023

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

SJI

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TO

1. The Judicial Magistrate No.II, Kovilpatti.

2. Do-Through The Chief Judicial Magistrate,
Tuticorin District.

3. The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1. CC to E.MAREESKUMAR Advocate SR.No.3607(I), dated 08.03.2023

ORDER

IN

CRL OP(MD) No.4356 of 2023

Date :07/03/2023

ED/SBN/SAR-3 (15/03/2023) 3P 6C