



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

Date : 13/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN
CRL OP(MD) . No.4673 of 2023

WEB COPY

Thirumoorthy, ... Petitioner/Sole Accused

Vs

The State Rep.by
The Inspector of Police,
Thanthonimalai Police Station,
Karur District.
Crime No.116 of 2023..

... Respondent/Complainant

For Petitioner : M/s.Senthil Kumaraiah.J.,
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.116 of 2023 on the file of
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused who apprehends arrest at the hands of
the respondent police for the offences punishable under sections 16
and 17 of the Bonded Labour System(Abolition) Act, 1976 in Crime No.
116 of 2023 on the file of the respondent police, seeks anticipatory
bail.

2. The case of the prosecution is that on 06.03.2023 on
receipt of secret information the defacto complainant along with
other officials inspected the dying unit which belongs to the
petitioner/accused wherein they secured one Arjunan who is aged
about 17 years. The victim has been compelled to render bonded
labour by the defacto complainant for the bonded debt of
Rs.1,00,000/- incurred by the brother of the victim, hence the case.

3. Heard both side and perused the materials available on
record including the First Information Report.

4. Taking into consideration of the facts and circumstances of
the case and also the fact that the victim has been secured, this



court is inclined to grant anticipatory bail to the peti ,
with certain conditions:

5. 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 respond to 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 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/-
13/03/2023

/ TRUE COPY /

/03/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV

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TO

1. The Judicial Magistrate No.I, Karur
2. -do-Through The Chief Judicial Magistrate,
Karur.
3. The Inspector of Police,
Thanthonimalai Police Station,
Karur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.SENTHIL KUMARIAH J, Advocate (SR-4068[I] dated
13/03/2023)

ORDER

IN

CRL OP(MD) No.4673 of 2023

Date :13/03/2023

RD/MMS/SAR-IV (17/03/2023) 3P 6C