



WEB COPY

CRL OP(MD).



23

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

Date : 18/04/2023

PRESENT

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

CRL OP(MD) . No.7073 of 2023

1. A.Arunkumar,
2. P.Ganesamoorthy,
- (*)3. M.Vijay @ Vijayakumar,**
4. P.Muthuraj,
5. Surendhar, ... Petitioners/Accused Nos. 1 to 5

Vs

State Rep.by
The Inspector of Police,
Puliangudi Police Station,
Tenkasi District.
Cr.No.78/2023. ... Respondent/Complainant

For Petitioner : M/s. K.R.Laxman, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 78/2023 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, 448, 294(b), 341, 506(1) of IPC in Crime No. 78 of 2023 on the file of the respondent police, seek anticipatory bail.



2. The case of the prosecution is that the petitioners herein being employees of Muthoot Finance having got agitated that the jewels pledged in their branch have been taken over by the defacto complainant's finance as Take over Advance, the petitioners herein went to the office of the defacto complainant abused him in filthy language and also criminally intimidated him, hence the case.

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

4. Taking into consideration the facts and circumstances of the case and also the fact that it is a dispute between two financial establishment this court is inclined to grant anticipatory bail to the petitioners , with certain conditions:

5. 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, Sivagiri, Tenkasi District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 absconds, a fresh FI registered under Section 229A IPC.

sd/-
18/04/2023

(*)Amended as Per Order of this Court dated 11/05/2023 in Crl.MP (MD).7406/2023 in Crl.OP(MD). 7073/2023 by RKMJ.

Further one week time is granted to the petitioner to comply with the conditions imposed by this Court from the date of receipt of a copy of this order as last chance

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/05/2023

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

AAV

TO

**TO BE SUBSTITUTED WITH THE ORDER OF THIS COURT DATED 18/04/2023
ALREADY DESPATCHED**

- 1 THE JUDICIAL MAGISTRATE,
SIVAGIRI., TENKASI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
PULIANGUDI POLICE STATION,
TENKASI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-7388[I])

ORDER

IN

CRL OP(MD) No.7073 of 2023

Date :18/04/2023

PKP/VR/SAR-4/24.04.2023/ **3P/6C**

PNN

SA/VR/SAR.4/17.05.2023/3P/6C