



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

Date : 10/05/2023

PRESENT

The Hon`ble Mrs.Justice R.KALAIMATHI

CRL OP(MD) . No.8666 of 2023

1. Muniyandi
2. Annadurai
3. Jothibas

... Petitioners/Accused 1 to 3

Vs

State rep. by
The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
(Crime No.44 of 2023).

... Respondent/Complainant

For Petitioners : M/s.Lenin Kumar.T,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.44 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 294 (b), 448, 427, 353 and 506(ii) of IPC in Crime No.44 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is working as an Assistant in the Block Education Office in Kadaladi. On 11.04.2023, the first petitioner went on medical leave and reported duty on 20.04.2023. When the defacto complainant enquired about the representation sent by the first petitioner under RTI Act, he threatened the defacto complainant with dire consequences and



questioned, the first petitioner along with other persons threatened the defacto complainant with dire consequences. Hence, the complaint.

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

4. Considering the facts and circumstances of the case and also considering the fact that the petitioners are not having any bad antecedents, 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 their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Paramakudi, 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 to 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 are directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.44 of 2023 before the learned Judicial Magistrate, Paramakudi, without prejudice to their rights and contentions before the trial Court and file the receipt/acknowledgment before the concerned Court along with surety affidavits.

(c) the petitioners shall report before the learned Judicial Magistrate, Mudukulathur, daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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 are 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



(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
10/05/2023

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

cp

TO

- 1.The Judicial Magistrate, Paramakudi.
- 2.Do through the Chief Judicial Magistrate,
Ramanathapuram.
- 3.The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Judicial Magistrate, Mudukulathur.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-7284[I] dated 11/05/2023)

ORDER
IN
CRL OP(MD) No.8666 of 2023
Date : 10/05/2023

NA/BUC/SAR-3/11.05.2023/3P/7C