



WEB COPY

CRL OP(MD). A



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/03/2023

PRESENT

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

CRL OP(MD). No.11261 of 2022

N.Potrivel

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Tallakulam Police Station,
Madurai City.
Cr.No.434/2022.

... Respondent/Complainant

Karthik

... Intervening Petitioner/Defacto Complainant
in CRL MP(MD).7785/2022 in CRL OP(MD).11261/2022

For Petitioner : M/s.Malaikani S, Advocate.
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)
For Intervenor : Mr.M.Vivek Bharathi, Advocate

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

PRAYER :-

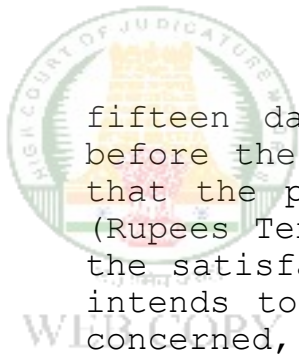
For Anticipatory Bail in Cr.No.434/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 465, 471 and 506(i) of I.P.C., in Crime No.434 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.When the matter is taken up for hearing the learned counsel for the petitioner submitted that pending anticipatory bail the matter was referred to mediation and in the mediation the matter has been settled between the parties, in view of the same, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

3.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, before the learned Judicial Magistrate No.II, Madurai, 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 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/-

09/03/2023

/ TRUE COPY /

/03/2023

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

SJI

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, TALLAKULAM POLICE STATION,
MADURAI CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.11261 of 2022

Date :09/03/2023

RS/BUC/SAR-2 (24.03.2023) 2P 5C

<https://www.mhc.tn.gov.in/judis>