



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 17.05.2023

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD)No.8793 of 2023

Johnsan Sagayaraj

... Petitioner/Sole Accused

Vs

State represented by
The Inspector of Police,
Trichy Railways Police Station,
Trichy.
(Crime No.48 of 2023)

... Respondent/Complainant

For Petitioner : Mr.J.Ebenazar Charles, Advocate
For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Section 438 of Cr.P.C.
PRAYER :-

For Anticipatory Bail in Crime No.48 of 2023 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 IPC in Crime No.48 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant lost her mobile phone while she was travelling from Villupuram to Tiruchirapalli by train. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that investigation is pending.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.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 of receipt of a copy of this order, before the learned Judicial Magistrate No.IV, Tiruchirappalli on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- **(*)Rupees Ten Thousand only** with two sureties (one blood related surety) each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall report before the respondent police daily at 10.30 am., for a period of eight weeks and thereafter, as and when required for interrogation.

[c]the petitioner shall not tamper with the 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 229-A IPC.

sd/-

17/05/2023

**FOR BEING MENTIONED AS PER THE ORDER
DATED 02/06/2023 IN CRL OP(MD)No.8793 OF
2023.**

/ TRUE COPY /

/05/2023

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

gns

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 17/05/2023 ALREADY DESPATCHED

- 1 THE JUDICIAL MAGISTRATE NO.IV, TIRUCHIRAPPALLI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUCHIRAPPALLI.
- 3 THE INSPECTOR OF POLICE, TRICHY RAILWAYS POLICE STATION, TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

**+1 CC to M/s.J.EBENEZAR CHARLES, Advocate (SR-7963[I] dated
02/06/2023)**

ORDER

IN

CRL OP(MD) No.8793 of 2023

Date :17/05/2023

RS//SAR-(25.05.2023) 2P 6C

SS/MMS/07/06/2023/2P 6C

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