



WEB COPY

CRL OP(MD)A



23

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.06.2023

PRESENT

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

CRL OP(MD)No.11553 of 2023

1.Murugan

2.Shanmugam

... Petitioners/ Accused- 1 & 2

Vs

State Rep by
The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.
(Crime No.139 of 2023)

... Respondent/ Complainant

For Petitioners : Mr.Pon A.Shiva

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor
(Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.139 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 16, 18 of the Bonded Labour System (Abolition) Act, 1976 in Crime No. 139 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the petitioners brought the victims for sugarcane cutting work in Tamarakki Village for the past 2 months and they did not pay any wages to them. The Village Administrative Officer, Tamarakki along with Revenue Divisional Officer, Sivagangai enquired in the village and released 9 victims from the sugarcane cutting work. Hence the case.

<https://www.mca21.com/judis>



3. Heard both sides and perused the materials available in the record.

4. Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners on condition that the petitioners shall pay a sum of Rs.5,000/- each to individual victims [(Rs.5,000 x 9 = Rs.45,000/-) + (Rs.5,000 x 9 = Rs.45,000/-)], within a period of two weeks from the date of receipt of a copy of this order and shall produce receipt/acknowledgment before the Judicial Magistrate Court-II, Sivagangai, failing which, the anticipatory bail granted to the petitioners shall stand cancelled automatically.

5. On such production of receipt/acknowledgment, 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 Judicial Magistrate Court-II, Sivagangai, 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 FII registered under Section 229A IPC.

sd/-
27/06/2023

/ TRUE COPY /

/07/2023

WEB COPY

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

gns

TO

1.THE JUDICIAL MAGISTRATE COURT-II,
SIVAGANGAI.

2.DO-THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3.THE INSPECTOR OF POLICE,
SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC TO M/S.PON A.SHIVA ADVOCATE SR.NO.9767, DT.28.06.2023.

ORDER
IN
CRL OP(MD) No.11553 of 2023
Date :27/06/2023

SI(11.07.2023) **3P/ 6C**