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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/03/2023

PRESENT

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

CRL OP(MD) . Nos.14108 and 14110 of 2022

1.M.Kavin

... Petitioner/2nd Accused
in Crl.O.P.(MD)No.14108 of 2022

2.R.Mani

... Petitioner/1st Accused
in Crl.O.P.(MD)No.14110 of 2022

Vs

1.The Inspector of Police,
Chinnadharapuram Police Station,
Karur District.
Crime No. 156 of 2022.

... Respondent/Complainant
in both petitions

2.Sakthivel

...Petitioner/Intervener/
Defacto Complainant
in Crl MP(MD)Nos.10590 & 10599 of 2022

In both petitions:-

For Petitioner : M/s.B.Saravanan
for Kumaresann E.K,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For Intervenor : Mr.P.Dhanasekaran, Advocate

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

COMMON PRAYER :-

For Anticipatory Bail in Crime No.156 of 2022 on the file of the
Respondent Police.

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



ORDER : The Court made the following order :-

The petitioners/A1 and A2 who apprehend arrest at the hands of the respondent police for the offences punishable under Section 506(i) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003, in Crime No.156 of 2022 on the file of the respondent police, seek anticipatory bail.

2. When the matter is taken up for hearing the learned counsel for the petitioners 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 petitioners with certain conditions:

3. 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 District Munsif cum Judicial Magistrate, Aravakurichi, 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 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].



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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

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/03/2023

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

sj i

TO

1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, ARAVAKURICHI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR.

3.THE INSPECTOR OF POLICE,
CHINNADHARAPURAM POLICE STATION,
KARUR DISTRICT.

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

+2 CC to M/s.S.KARTHICK RAMKUMAR, Advocate (SR-4490,4491[I] dated
17/03/2023)

ORDER

IN

CRL OP (MD) . Nos.14108

and 14110 of 2022

Date :15/03/2023

RK/SBN/SAR-1 (28/03/2023) 6P/7C