



CRL OP(MD)No.13693 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31.07.2023

PRESENT

The Hon`ble Mr.Justice P.DHANABAL

CRL OP(MD)No.13693 of 2023

Sanguuthayakumar @ Uthayakumar

.... Petitioner/ Accused 7

Vs

The Inspector of Police,
CBCID South,
Pudukottai District
Crime No.2 of 2023

... Respondent/ Complainant

For Petitioner : Mr.K.SUYAMBULINGA BHARATHI, Advocate

For Mr.S.ANANTHA MURUGAN, Advocate

For Respondent : Mr.M.SAKTHI KUMAR

Government Advocate(Crl.Side

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

PRAYER :- For Anticipatory Bail in Crime No.2 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A7, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 174 of Cr.P.C @ 306 of IPC @ 120(b) and 306 of IPC in Crime No.2 of 2023 on the file of the respondent police, seeks



CRL OP(MD)No.13693 of 2023

anticipatory bail.

WEB COPY

2.The learned counsel for the petitioner would contend that this petitioner has been arrayed as A7 in this case and he has not committed any offence as alleged by the prosecution and a false case has been foisted against him. Already this petitioner was granted anticipatory bail in Crime No.1 of 2023 and at that time he did not know about the present case. Thereafter the petitioner was complying with the conditions for few days and then only he came to know about this case. Even according to the case of the prosecution no specific overt act has been attributed as against the petitioner, hence he may be granted anticipatory bail.

3. The learned Government Advocate(Crl.Side) would contend that the case is under investigation and this petitioner also shared the amount obtained from the deceased. He also participated in the crime, hence he strongly objected to grant anticipatory bail to the petitioner. He would further submit that the petitioner has not complied with the conditions in the previous case and thereby prosecution has also filed a petition to cancel the bail granted to him and the same is pending.

4. Heard both side and perused the materials available on record.

5. Considering the rival submissions on either side and considering the fact that already main accused was released on bail and also considering the date of registration of the First Information Report, considering that already anticipatory bail



CRL OP(MD)No.13693 of 2023

was granted in connected case and also considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following 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 on which the order copy made ready, before the learned Judicial Magistrate No.II, Pudukottai 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 shall report before the Inspector of Police, CBCID, Sivagangai daily at 10.00 A.M. until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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



CRL OP(MD)No.13693 of 2023

learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

WEB COPY

in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

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

sd/-
31/07/2023

/ TRUE COPY /

31/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

AAV
TO

1 THE JUDICIAL MAGISTRATE COURT NO.2 PUDUKKOTTAI.
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.
3 THE INSPECTOR OF POLICE,
CBCID SOUTH, PUDUKOTTAI DISTRICT
4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:
THE INSPECTOR OF POLICE,
CBCID, SIVAGANGAI.

ORDER
IN
CRL OP(MD) No.13693 of 2023
Date :31/07/2023

SA/VR/SAR. /31.07.2023/4P/6C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023.