



CRL OP(MD) No.2127 of 2024

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

Monday, the Twelfth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2127 of 2024

1MUTHUKRISHNAN
2 SATHIYARAJ

... Petitioners / Accused

Vs

THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION,
DEVIPATTINAM,
RAMNAD DISTRICT.
(CRIME NO. 36 OF 2024)

... Respondent / Complainant

For Petitioner : M/s.R.Sakthivel, Advocate

For Respondent : Mr.S.Manikandan,
Government Advocate (CrI. Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO. 36 OF 2024 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the
respondent police for the alleged offence punishable under Sections 365 of I.P.C., in



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Crime No.36 of 2024, on the file of the respondent Police, seek anticipatory bail.

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2. The case of the prosecution is that due to money dispute between the first petitioner and one Murugan, the petitioners kidnapped the said Murugan. The above said Murugan is working as a Tea master in the defacto complainant's tea shop. Hence, the defacto complainant lodged a complaint before the respondent Police and the respondent Police registered a case against the petitioners.

3. The learned counsel appearing for the petitioners would submit that the above said Murugan has borrowed money from the first petitioner, however, he failed to repay the loan amount. He would further submit that it is purely a money dispute, for which, a false case has been registered against the petitioners and hence, he prays for anticipatory bail.

4. The learned Government Advocate (Criminal Side) would submit that already the second petitioner has been arrested and remanded to judicial custody.

5. Since the second petitioner has already been arrested and remanded to judicial custody, this Criminal Original Petition stands dismissed insofar as the second petitioner is concerned.

5. Considering the facts and circumstances of the case, it is purely money dispute between the first petitioner and the defacto complainant, I am inclined to grant anticipatory bail to the first petitioner.



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6. Accordingly, the first petitioner is granted anticipatory bail and he 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.I, Ramnad, 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 and on further condition that:

(a)if the first petitioner fails to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b)the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c)the first petitioner shall report before the respondent police as and when required for interrogation;

(d)the first petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the first petitioner shall not abscond either during investigation or trial;



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(f) 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]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/02/2024

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar
(C.S. I / II / III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

To

1.The Judicial Magistrate No.I,
Ramnad.

2.Do through the Judicial Magistrate,
Ramnad District.

3.The Inspector of Police,
Devipattinam Police Station,
Devipattinam,
Ramnad District.



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4.The Additional Public Prosecution,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.SAKTHIVEL, Advocate (SR-1707[I] dated 12/02/2024)

ORDER
IN
CRL OP(MD) No.2127 of 2024
Date :12/02/2024

ED/ GS /SAR- (15/02/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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