



CRL OP(MD) No.3768 of 2024

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

Friday, the Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

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1 ANBU LINGAM

2 MARIKANI

3 LINGARAJ ... PETITIONERS / ACCUSED (RANK NOT KNOWN)

Vs

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

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.SAKTHIVEL.R Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. 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



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respondent police for the alleged offence punishable under Sections 365 of I.P.C., in
Crime No.36 of 2024, on the file of the respondent Police, seek anticipatory bail.

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 co-accused were granted anticipatory bail by this Court in Crl.O.P(MD) No.2127 of 2024. Hence, he has no objection to grant anticipatory bail to the petitioners.



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5. Considering the facts and circumstances of the case, it is purely money dispute between the first petitioner and the defacto complainant and the co-accused were granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Ramnad, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two common 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 petitioners fail 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;



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(c)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;

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

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

(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/-
08/03/2024

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/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO

1 THE JUDICIAL MAGISTRATE NO.I
RAMNAD.



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM

3 THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION, DEVIPATTINAM,
RAMNAD DISTRICT.

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

+1 CC to M/s.R.SAKTHIVEL, Advocate (SR-2935[I] dated 08/03/2024)

ORDER
IN

CRL OP(MD) No.3768 of 2024

Date :08/03/2024

SS/VR/SAR- /15/03/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023