



CRL OP(MD). No.7855 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.7855 of 2024

Sambath

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
District Crime Branch,
Pudukkottai,
Pudukkottai District.
(In Crime No.4 of 2024).

... Respondent/Complainant

For Petitioner : A.Balaji, Advocate.

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

For Intervenor : Mr.A.Prasanna Rajadurai, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No. 4 of 2024 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 403, 406, 407, 408, 417 and 420 of IPC, in Cr.No.4 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that by the order dated 27.06.2024, the petitioner was already granted interim anticipatory bail by this Court, on condition, to pay a sum of Rs.3,00,000/- on or before 26.07.2024, to the credit of Crime No.4 of 2024.

3.When the matter is taken up for hearing for consideration, the learned counsel for the petitioner would submit that the order of this Court dated 27.06.2024, has been complied with by the petitioner and the amount of Rs.3,00,000/- has been paid to the credit of Crime No.4 of 2024. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor for the respondent and the learned counsel for the defacto complainant have also affirmed the submission made by the petitioner and have no objection to allow this petition.

5.Considering the same, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy



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of this order, before the learned Judicial Magistrate No.II, Pudukkottai, 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

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

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

(d) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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;



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(f)if the accused thereafter absconds, a fresh FIR can be registered under

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Section 229-A IPC.

sd/-
29/07/2024

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/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

To

1.The Judicial Magistrate No.II,
Pudukkottai.

2.Do through the Chief Judicial Magistrate,
Pudukkottai District.

3.The Inspector of Police,
District Crime Branch,
Pudukkottai, Pudukkottai District.

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

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-8978[I] dated 30/07/2024)

+1 CC to M/s.A.BALAJI, Advocate (SR-9021[I] dated 31/07/2024)



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ORDER

IN

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Date :29/07/2024

ED/ GS /SAR- (08/08/2024) 5P / 7 C

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