



CRL OP(MD). No.8026 of 2024

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

Date : 06/06/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI
CRL OP(MD). No.8026 of 2024

Sudalai Ganapathy @ Durai

... Petitioner/ Accused Rank not known

Vs

The Inspector of Police,
Munnerpallam Police Station,
Tirunelveli District.
(Crime No.203 of 2024.)

... Respondent/ Complainant

Jenitha

... Petitioner / Intervener /
Defacto Complainant
in CRL MP(MD) No.5564 of 2024

For Petitioner : Mr.K.Suyambulingabharathi, Advocate.

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl.Side)

For Intervenor : Mr.B.N.Raja Mohamed

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

PRAYER :- For Anticipatory Bail in Crime No.203 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 448, 323, 506(ii), 109, 387,



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379(N.H) of IPC @ Sections 294(b), 448, 323, 506(ii), 109, 387, 379(N.H) of IPC and Section 4 of TNPHW Act @ Sections 448, 294(b), 323, 394, 506(ii) of IPC and Section 4 of TNPHW Act, in Crime No.203 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is working as a college professor in her locality. While she went along with other professor in a car to her home, the accused persons waylaid the defacto complainant and threatened her with lethal weapons and demanded money from her. The defacto complainant gave her ATM card with PIN number and the accused persons withdrew Rs.15,000/- from the defacto complainant's account. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not indulged in any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that A1 and A3 were already arrested and released on bail by the trial Court and A4 has already been granted anticipatory bail by this Court in CrI.O.P.(MD)No.7639 of 2024 on 25.05.2024. He further submits that the petitioner is prepared to donate books to the R.C. Primary School, Manakkarai Village, Srivaikundam Taluk, Thoothukudi District worth of Rs.15,000/-. Hence, he prays for grant anticipatory bail to the petitioner.

4.The learned counsel for the intervenor has raised serious objections for



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granting anticipatory bail to the petitioner.

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5.The learned Government Advocate (Crl. side) strongly opposes for the grant of anticipatory bail on the ground that the investigation is yet to be completed.

6.Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioner and the petitioner's readiness to donate books worth about Rs.15,000/- to the R.C. Primary School, Manakkarai Village, Srivaikundam Taluk, Thoothukudi District, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner shall donate books worth of Rs.15,000/- to the R.C. Primary School, Manakkarai Village, Srivaikundam Taluk, Thoothukudi District, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the learned Judicial Magistrate No.V, Tirunelveli.

8.On production of such receipt/acknowledgment, 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 of receipt of a copy of this order, before the Judicial Magistrate No.V, Tirunelveli, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further



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conditions that:

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i) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

ii) The petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation. He has to co-operate for the investigation.

iii) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

iv) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

sd/-
06/06/2024

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/06/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI



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To

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1.The Judicial Magistrate No.V,
Tirunelveli.

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

3.The Inspector of Police,
Munnerpallam Police Station,
Tirunelveli District.

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

Copy to:

The Head Master,
R.C.Primary School,
Manakkarai Village,
Srivaikundam Taluk,
Thoothukudi District.

ORDER

IN

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Date :06/06/2024

ED/ JGB /SAR- (14/06/2024) 5P / 6C

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