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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13588 of 2023

A.Prem Anand,

... Petitioner/Sole Accused

Vs

The State rep. by
The Inspector of Police,
Gandhi Market Police Station,
Trichy City.

... Respondent/Complainant

For Petitioner : M/s.Karthik Kannan N,
Advocate.

For Respondent : Mr.B.Nambiselvan,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.742/2023 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 offences punishable under Sections 354A of IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002, in Crime No.742 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant, namely, Anjammal is working as a customer care executive in a car showroom. The petitioner was working as Assistant General Manager for the past 5 months. She was regularly coming to the office between at 8.35 a.m to 8.40 a.m and the petitioner was regulary attending the office at 8.15 p.m and other employees were attending the office at 09.00 a.m regularly. Right from the beginning, the petitioner teased the defacto complainant and also made indecent comments. On 16.02.2023, at about 08.40 a.m, the petitioner made some indecent remarks and also tried to misbehave with her. It was also informed to the Managing Director. Thereafter, the present case has been registered against the petitioner.

3. This petition has been filed mainly on the ground that so far, no complaint has been received from the other employess against the petitioner.

4. On earlier occassion, this Court directed the learned Additional Public

Prosecutor, to verify whether any departmental proceedings have been initiated

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against the petitioner or not.

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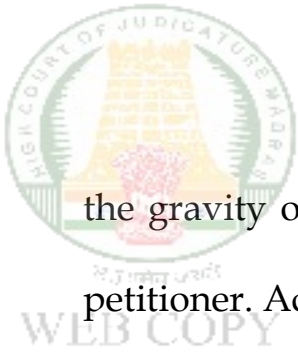
5. Today, when the matter is taken up for hearing, the learned Additional Public Prosecutor appearing for the respondent police submitted that after the complaint given against the petitioner, the petitioner appeared before the concerned Official and also tendered his sincere apology. Thereafter, he wanted to resign the job and left the office. Thereafter, no information was received from the petitioner.

6. The learned counsel for the petitioner submitted that due some sort of communal issue, the management wanted to take revenge upon him. At one point of time, the petitioner was transferred as General Manager to Thanjavur, on the ground that his community is not mentioned in his profile, at the time of joining the service. On that ground, the present false complaint has been given against the petitioner.

7. Perusal of CD file shows that not only the defacto complainant but also the other employees have given several complaints against the petitioner. So the contention on the part of the petitioner is that due to communal issue only, he has been victimised, is completely a false statement.

8. Considering the conduct and attitude of the petitioner and also considering

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the gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, this Criminal Original Petition is dismissed.

sd/-
21/08/2023

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/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

1 THE INSPECTOR OF POLICE
GANDHI MARKET POLICE STATION,
TRICHY CITY.

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

ORDER
IN
CRL OP(MD) No.13588 of 2023
Date :21/08/2023

SSA/JGB/12.09.2023/4P/3C

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