



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

Friday, the Thirteenth day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2497 of 2015

KENGARAJ @ THANAPATHI

... PETITIONER/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE

(*)NALATINPUTHUR POLICE STATION,

TUTICORIN DISTRICT.

CRIME NO.27/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M. SOLAISAMY Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

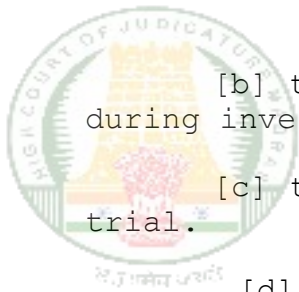
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 355 of Indian Penal code r/w Section 4 of Women Harassment Act in Crime No.27 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the *defacto* complainant and the petitioner had quarreled during the local body election some three years back and on account of which, it is alleged by the *defacto* complainant that the petitioner had assaulted her on 07.02.2015.

3. The learned Government Advocate (Criminal side) represents that the injured has been discharged from the hospital and there is no previous case against the petitioner.

4. Considering the facts and the injured has already been discharged from hospital and that the petitioner has no previous antecedent, I am inclined to grant anticipatory bail to the petitioner. Accordingly, 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 learned Judicial Magistrate No.I, Kovilpatti, 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] the petitioner shall stay at Tirunelveli and report before the Tirunelveli Town Police Station twice a day daily at 10:30 a.m., in the morning and 06:30 p.m., in the evening for a period of two weeks and ~~and~~ and when required by the respondent police for interrogation.



[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

[e] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
13/02/2015

**(*)Amended as par the order of this
Hon'ble Court dated 06.03.2015 and made
in MP(Md)NO.1/2015 in
Crl.O.P(md)NO.2497 of 2015**

Sd/-
Assistant Registrar(Crl.Side)

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

**(*)Two weeks time is extended from the date of copy of Amended order copy.
TO**

1. THE JUDICIAL MAGISTRATE NO.I, KOVILPATTI.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN.
3. THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STATION, TIRUNELVELI.
4. THE INSPECTOR OF POLICE
VANARAMMUTTI POLICE STATION, TUTICORIN DISTRICT.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
6. THE INSPECTOR OF POLICE
NALATINPUTHUR POLICE STATION, TUTICORIN DISTRICT.

SR : 18.02.2015 : 2P/6C
rg.13.03.2015 2p.7c.

ORDER
IN
CRL OP(MD) No.2497 of 2015
Date :13/02/2015