



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

Tuesday, the Seventeenth day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2813 of 2015

MANI

... PETITIONER/ACCUSED

Vs

THE SUB-INSPECTOR OF POLICE  
UTHAMAPALAYAM POLICE STATION,  
THENI DISTRICT.  
CRIME NO.59/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.G. RAJAN 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 an alleged offence punishable under Sections 294(b) and 448 IPC and Section 4 of Tamilnadu Prohibition of Women Harassment Act in Crime No. 59 of 2015 on the file of the respondent police, seeks anticipatory bail.

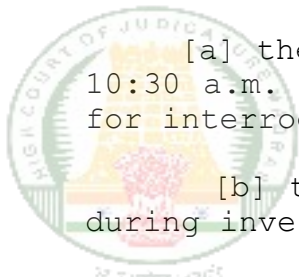
2. It is the case of the prosecution that the petitioner came to the house of the defacto complainant and used filthy language and tried to pull her hands and when the mother-in-law and father-in-law entered into the house, he pushed them and ran away from the house.

3. The learned Government Advocate submits that it is the case of case and counter and there is no previous case against the petitioner.

4. The learned counsel for the petitioner submits that the petitioner has not committed any such offence as stated in the prosecution case.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the State.

6. Considering the facts and circumstances of the case, 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, Uthamapalayam, 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 and on further condition that:



[a] the petitioner 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.

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

sd/-  
17/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE,  
UTHAMAPALAYAM.
2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,  
THENI.
3. THE SUB-INSPECTOR OF POLICE  
UTHAMAPALAYAM POLICE STATION, THENI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to MR.G.RAJAN, ADVOCATE IN SR : 7281

SR : 24.02.2015 : 2P/6C

ORDER  
IN  
CRL OP(MD) No.2813 of 2015  
Date :17/02/2015