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

Tuesday, the Tenth day of March Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.4371 of 2015

MANJULA ... PETITIONER/1ST ACCUSED

Vs

THE INSPECTOR OF POLICE
THURAIYUR POLICE STATION
THURAIYUR, TRICHY DISTRICT.
(CRIME NO. 76 OF 2015) ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.C.VAKEESWARAN Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, 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) and 506 (ii) of Indian Penal Code in Crime No.76 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) for the respondent.

3. The *defacto* complainant in this case is one Jainulabuddin, who is the Revenue Divisional Officer. The petitioner herein is working as Tahsildar. This petitioner has lodged a complaint against Jainulabuddin for sexual harassment, in respect of which, a case in Crime No.75 of 2015 has been registered by the respondent police against Jainulabuddin, for offences under the Tamil Nadu Prevention of Women Harassment Act and 66 (A) of Information Technology Act along with other IPC offences. As a counter blast, Jainulabuddin has lodged the present complaint against the petitioner.

4. Under such circumstances, this Court is of the view that it is a fit case to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thuraiyur, Trichy District, 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 report before the respondent police as and when required for interrogation.

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[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].

sd/-
10/03/2015

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

TO

1. THE JUDICIAL MAGISTRATE,
THURAIYUR, TRICHY DISTRICT.

2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3. THE INSPECTOR OF POLICE
THURAIYUR POLICE STATION
THURAIYUR, TRICHY DISTRICT.

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

+1. CC to M/S.C.VAKEESWARAN Advocate SR.No. 11464

SR : 12.03.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.4371 of 2015
Date :10/03/2015

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