



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

Thursday, the Tenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice S.VAIDYANATHAN

CRL OP(MD) No.20513 of 2016

A.RAJAPRABHU

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
MELUR POLICE STATION,
MADURAI DISTRICT

CRIME NO. NOT KNOWN OF 2016 ... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S.R.ILAYARAJA, ADVOCATE

FOR RESPONDENT : MR.A.P.BALASUBRAMANI, GOVT. ADVOCATE (CRL. SIDE)

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

ORDER : The Court Made the following order :-

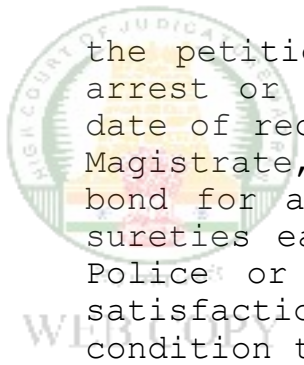
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323 & 506(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.987 of 2016 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the de facto complainant suspected the character of his wife alleging that his wife was having illicit intimacy with the petitioner. Hence, wordy quarrel arose between the de facto complainant and the petitioner and that the petitioner abused the de facto complainant in filthy language.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that no one sustained injury and investigation is pending.

5.Considering the facts and circumstances of the case and also taking note of the fact that no one sustained injury, 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 15 days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, 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 daily at 10.30 a.m. until further orders.

[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/-

10/11/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
MELUR, MADURAI DISTRICT.
2. THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
MELUR POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+ 1 CC TO Mr.R.ILAYARAJA, ADVOCATE IN SR No. 68426

ORDER IN
CRL OP(MD) No.20513 of 2016
Date :10/11/2016