



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

Wednesday, the Twenty Sixth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

CRL OP(MD) No.20638 of 2016

THIRUPATHI

... PETITIONER / ACCUSED SINGLE

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

NALATTIN PUTHOOR POLICE STATION, THOOTHUKUDI DISTRICT.

CR. NO.252/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.VANJINATHAN 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 :-

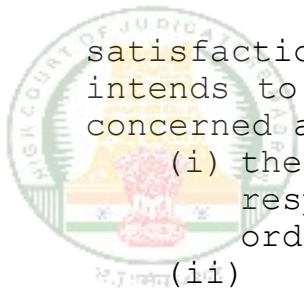
Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 I.P.C., r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.252 of 2016, on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner abused the de facto complainant in filthy language and assaulted her with hands.

3. The learned counsel for the petitioner submitted that the petitioner is innocent, he has no connection with this case and he has been falsely implicated in this case.

4. The learned Government Advocate appearing for the State submitted that the petitioner is not having any bad antecedent.

5. Taking into consideration the nature of allegations made against the petitioner / accused, this Court is of the view that this is a fit case to grant anticipatory bail to him. Accordingly, he 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, Thoothukudi 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner / accused shall report before the respondent Police daily at 10.30 a.m., until further orders.
- (ii) the petitioner / accused shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner / accused shall not abscond either during investigation or trial.
- (iv) On breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioner / accused in accordance with law as if the conditions have been imposed and the petitioner / accused 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]**.

6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
26/10/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KOVILPATTI, THOOTHUKUDI DISTRICT
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT
- 3 THE INSPECTOR OF POLICE
NALATTIN PUTHOOR POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.VANJINATHAN Advocate SR.No.63976

sm:SS3:SAR 3:26/10/2016:2P/6C

ORDER
IN
CRL OP(MD) No.20638 of 2016
Date :26/10/2016