



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

Tuesday, the Eighth day of November Two Thousand Sixteen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21143 of 2016

THIRUPATHI

... PETITIONER/SOLE ACCUSED

Vs

THE STATE, REP. BY
THE INSPECTOR OF POLICE
NALATTIN PUDUR POLICE STATION,
THOOTHUKUDI DISTRICT,
CR NO. 252 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S G.THALAIMUTHARASU Advocate

For Respondent : Mrs.S.PRABHA, Government 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 offence punishable under Sections 294(b), 323 I.P.C., and Section 4 of Women Harassment Act in Crime No.252 of 2016 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 15.10.2016, a wordy quarrel arose between the petitioner and his wife and thereafter, the mother-in-law of the petitioner questioned the act of the petitioner and hence, the petitioner scolded the de-facto complainant with filthy language and pushed her down.

3. It is submitted by the learned counsel for the petitioner that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution and prays for anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl.side) submitted that the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and that the injured has been discharged from the hospital, 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 report before the respondent police daily at 10.00 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/-

08/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I,
KOVILPATTI

2 THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT

3 THE INSPECTOR OF POLICE
NALATTIN PUDUR POLICE STATION, THOOTHUKUDI DISTRICT

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

+1. CC to M/S G.THALAIMUTHARASU Advocate SR.No.66888

ORDER

IN

CRL OP(MD) No.21143 of 2016

Date :08/11/2016

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SH/KM/SAR-I:14.11.2016:2P/6C

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