



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

Wednesday, the Twenty Third day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5126 of 2016

SIVA

... PETITIONER/ACCUSED NO.3

Vs

STATE REP BY THE INSPECTOR OF POLICE
VADAMADURAI POLICE STATION,
DINDIGUL DISTRICT.

(CRIME NO. 403 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S R.ALAGUMANI Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

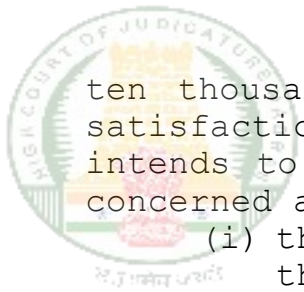
ORDER : The Court Made the following order :-

The petitioner, who apprehended arrest at the hands of the respondent Police for the alleged offences punishable under Sections 294(b), 354 and 509 I.P.C., r/w Section 4(1) of Tamil Nadu Prohibition of Women Harassment Act and Section 67(A) of Information Technology Act, in Crime No.403 of 2015, on the file of the respondent Police, seeks anticipatory bail.

2. Heard Mr.R.Alagumani, learned counsel appearing for the petitioner / third accused and Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the State.

3. It is seen that the co-accused / first accused has been enlarged on bail, by this Court, vide Order dated 18.02.2016, in Crl.O.P.(MD) No.2510 of 2016 and the co-accused / second accused has been granted anticipatory bail, by this Court, vide Order dated 04.01.2016, in Crl.O.P.(MD) No.23130 of 2015.

4. Taking into consideration the above facts and the nature of allegations made against the petitioner / third 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, Veda sandur, on condition that the petitioner / third accused 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 / third accused shall report before the respondent Police daily at 10.30 a.m., until further orders.
- (ii) the petitioner / third accused shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner / third 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 / third accused in accordance with law as if the conditions have been imposed and the petitioner / third 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]**.

5. 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/-
23/03/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VEDASANDUR
- 2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL
- 3 THE INSPECTOR OF POLICE
VADAMADURAI POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.ALAGUMANI Advocate SR.No.16509

ORDER
IN
CRL OP(MD) No.5126 of 2016
Date : 23/03/2016

AA/JGB-DP/SAR-I/30.03.2016/2p-6c