



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

Wednesday, the Twenty Ninth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.9504 of 2016

M.SUBBURAJ

... PETITIONER / SOLE ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

Y.OTHAKADAI POLICE STATION,

MADURAI DISTRICT.

CRIME NO.324/2016

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S M.SARAVANAN Advocate

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

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

ORDER : The Court Made the following order :-

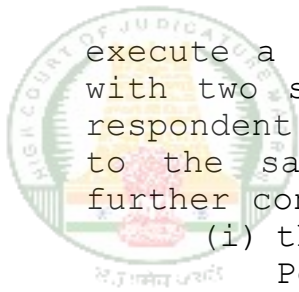
The petitioner, who is arrayed as Accused, apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 323, 324 and 506(ii) I.P.C., read with Section 4 of Tamil Nadu Women Harassment Act, in Crime No.324 of 2016, on the file of the respondent Police and hence, seeks anticipatory bail.

2. The case of the prosecution is that on 12.06.2016, the petitioner has entered into quarrel with the *de-facto* complainant and abused her in filthy language. On complaint, a case has been registered for the offences stated above.

3. The case of the petitioner is that he is an innocent and he has not committed any offence as alleged by the prosecution.

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

5. Taking into consideration the fact that the injured has been discharged from the hospital, this Court is of the view that this is a fit case to grant anticipatory bail to the petitioner. 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, 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 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 shall report before the respondent Police daily at 10.00 a.m., until further orders;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioner 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 petitioners 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]**.

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/-
29/06/2016

/ TRUE COPY /

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

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TO

1 THE JUDICIAL MAGISTRATE, MELUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT

3 THE INSPECTOR OF POLICE
Y.OTHAKADAI POLICE STATION, MADURAI DISTRICT.

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

+1. CC to M/S M.SARAVANAN Advocate SR.No.34031

GJM/SKS/RR/SAR-I-4.7.16-2P-6C

ORDER
IN
CRL OP(MD) No.9504 of 2016
Date : 29/06/2016