



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

Thursday, the Twenty Eighth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.13357 of 2017

KRISHNA MOORTHY

... PETITIONER/SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
GUZAILIAPARAI POLICE STATION,
DINDIGUL, DINDIGUL DISTRICT.
CRIME NO.201/2017

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.ILAYARAJA Advocate

For Respondent : MR.C.RAMESH, Additional Public Prosecutor,

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

ORDER : The Court Made the following order :-

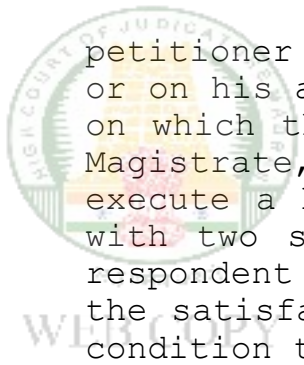
The petitioner/sole accused, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b) and 353 of I.P.C., and 4 of Prohibition of Women Harassment Act, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner abused the defacto complainant, who is working as Junior Assistant, with filthy language and further prevented her from discharging her official duty. Based on the complaint the respondent police registered a case against the petitioner for the above said offences.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Further he submitted that the petitioner did not involve in any occurrence as alleged by the prosecution.

4.The learned Additional Public Prosecutor appearing for the respondent Police, on instructions, would submit that the respondent police registered a case against the petitioner on the allegation that the petitioner abused the defacto complainant with filthy language and further prevented her from discharging her official duty.

5.Considering the facts and circumstances, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the



petitioner is ordered to be released on bail at the event of arrest or on his appearance, within a period of one week days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Vidasenthur 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 05.30 p.m. for a period of 15 days;

[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/-

28/09/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.R.ILAYARAJA Advocate SR.No.31893

ORDER

IN

CRL OP(MD) No.13357 of 2017

Date :28/09/2017