



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

Monday, the Eleventh day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16573 of 2017

1 MARUTHU @ CHINNAMARUTHU
2 SHANMUGAIAH

... PETITIONERS / ACCUSED NO.1&2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
KAYATHARU POLICE STATION,
THOOTHUKUDI DISTRICT.
CR.NO.401 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.M.PRABU Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

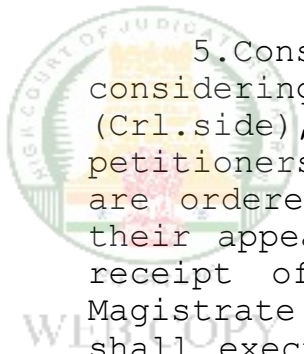
ORDER : The Court Made the following order :-

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294 (b) and 506(ii) IPC., and Section 4 of Women Harassment Act, in Crime No.401 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are roadside roamers, since the petitioners committed eve-teasing against the defacto complainant's daughter, which was questioned by the defacto complainant. Aggrieved over the same, the petitioners threatened the defacto complainant, thereby, the defacto complainant filed a complaint before the respondent police.

3.The learned counsel for the petitioners submitted that they did not commit any offence as alleged by the prosecution. However, this Court may imposed stringent condition as against the petitioners.

4.The learned Government Advocate (Crl.side) appearing for the respondents submitted that the petitioners are labourers, since the petitioners committed eve-teasing as against the defacto complainant's daughter, thereby the defacto complainant filed a complaint before the respondent police.



5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Kovilpatti, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each 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 petitioners are directed to stay at respondent police daily from 10.00 a.m., to 2.00 p.m., for a period of two weeks and thereafter, the petitioners shall report before the respondent police daily at 10.00 a.m. until further order and
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioners shall not commit any offence while on bail;
- (iv) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;
- (v) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-
11/12/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.M.PRABU Advocate SR.No.36004

ORDER IN
CRL OP(MD) No.16573 of 2017
Date :11/12/2017