



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

Thursday, the Seventh day of December Two Thousand Seventeen

PRESENT

**The Hon`ble Mr.Justice M.DHANDAPANI**

CRL OP(MD) No.16862 of 2017

PALSAMY,

... PETITIONER / ACCUSED  
RANK NOT KNOWN

Vs

THE STATE REPRESENTED BY,  
THE INSPECTOR OF POLICE,  
MASARPATTI POLICE STATION,  
THOOTHUKUDI DISTRICT.  
(CRIME NO.353 OF 2017)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.M.PITCHAI MUTHU Advocate

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

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

ORDER : The Court Made the following order :-

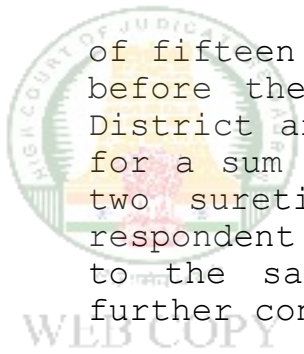
The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.105 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant is the owner of the provisional store. While the petitioner purchased the provisional items from the de facto complainant, the petitioner misbehaved with the de facto complainant. On complaint, a case has been registered against the petitioner.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. The learned Government Advocate (Crl.side) appearing for the State submitted that the petitioner misbehaved with the de facto complainant and hence, a case has been registered and the investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the fact that the investigation is still pending, I am inclined to grant anticipatory bail to the petitioner with certain conditions. 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 on which the order copy is made ready, before the learned Judicial Magistrate, Vilathikulam, Thoothukudi District and on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 between 10.00 am and 11.00 am., for a period of four weeks and thereafter, as and when required for interrogation;
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;
- (v) the petitioner shall not commit any offence while on bail;
- (vi) 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/-

07/12/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VILATHIKULAM, THOOTHUKUDI DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT
- 3 THE INSPECTOR OF POLICE,  
MASARPATTI POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.PITCHAI MUTHU Advocate SR.No.35984

TRP

GJM/RR/SAR-I-12.12.2017-2P-6C

ORDER

IN

CRL OP (MD) No.16862 of 2017

Date :07/12/2017