



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

Thursday, the Twenty Eighth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.18010 of 2017

JABA MOHAMMED YOSUF

... PETITIONER/SOLE ACCUSED

Vs

1 THE INSPECTOR OF POLICE
TOWN POLICE STATION, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT,
IN CRIME NO. 404 OF 2017

..1st RESPONDENT/COMPLAINANT

2 RANJANI

.. RESPONDENT/DEFACTO
COMPLAINANT

For Petitioner : Mr.K.SANJAI GANDHI, 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 :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 342, 294(b), 324 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.404 of 2017 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of the prosecution is that on 11.12.2017 due to wordy quarrel, the petitioner is alleged to have abused the defacto complainant in filthy language and also attacked her, which resulted in registration of the case.

4. Learned counsel for the petitioner would submit that the petitioner has been falsely implicated in this case.



5. Learned Government Advocate (Crl.Side) submitted that the injured has been discharged from the hospital.

6. Considering the facts and circumstances of the case and taking note of the fact that injured has been discharged from the hospital, this Court is of the view that custodial interrogation of this petitioner is not necessary at this stage. **Therefore, this Court is inclined to grant anticipatory bail to the petitioner.**

7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Sankarankovil, **subject to the following conditions:**

(i) 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 Magistrate concerned;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m. for two weeks and thereafter, as and when required for interrogation;

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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/-

28/12/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
SANKARANKOIL

<https://hcservices.ecourts.gov.in/hcservices/>

2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT



3 THE INSPECTOR OF POLICE
TOWN POLICE STATION, RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT,

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

+1. CC to M/S.K.SANJAI GANDHI Advocate SR.No.37096

ORDER

IN

CRL OP(MD) No.18010 of 2017

Date :28/12/2017

msa/pjl

SH/RR/SAR-3:02.01.2018:2p/6c