



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

Thursday, the Twenty Eighth day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.18059 of 2017

THANGAM

... PETITIONER/SOLE ACCUSED

Vs

1 THE STATE REP.BY,
THE SUB-INSPECTOR OF POLICE,
THIRUCHULLI POLICE STATION,
VIRUDHUNAGAR DISTRICT
(CRIME NO. 376/17)

... RESPONDENT/COMPLAINANT

2 KALAISELVI

... RESPONDENT/DEFACTO
COMPLAINANT

For Petitioner : M/S.A.BASKARAN Advocate

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

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

ORDER : The Court Made the following order :-

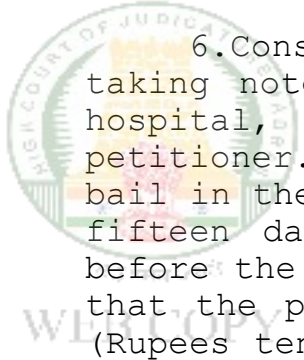
Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 and 506 (ii) of I.P.C., and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.376 of 2017 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel on either side.

3.The case of the prosecution is that on 15.12.2017, the petitioner assaulted the defacto complainant and abused with filthy languages.

4.It is submitted by the learned counsel for the petitioner that the petitioner is an innocent person and he has not committed any offence and prays for anticipatory bail in favour of the petitioner.

5.The learned Government Advocate (Crl.side) submitted that this is a case of case and counter and the investigation is pending. He further submitted that the injured discharged from the hospital.



6. Considering the facts and circumstances of the case and taking note of the fact that the injured was discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner. 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Aruppukottai, 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 10:30 am until further orders.

[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/-
28/12/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR DISTRICT
 - 3 THE SUB-INSPECTOR OF POLICE,
THIRUCHULLI POLICE STATION, VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.A.BASKARAN Advocate SR.No.37110

ORDER
IN
CRL OP(MD) No.18059 of 2017
Date :28/12/2017