



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

Monday, the Twenty Seventh day of February Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.2076 of 2017

WEB COPY

ARUNACHALAM

... PETITIONER/SOLE ACCUSED

Vs

STATE, REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KARAIKUDI,
SIVAGANGAI DISTRICT.
CRIME NO.3 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MAHENDRAPATHY Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

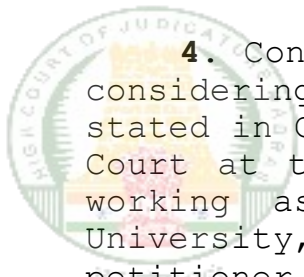
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 14.02.2017, for the offences punishable under Sections 354(A)(1)(iii), 354A(1)(iv), 354(D), 506(i) and 509 of IPC., and Section 4 of Tamil Nadu Women Harassment Act and Section 3(1)(w)(ii) of SC/ST (POA) Act, 1989, in Crime No.3 of 2017, on the file of the respondent police, seeks bail.

2. The learned counsel appearing for the petitioner states that the petitioner has not committed any offence, as alleged by the respondent Police and as the Head of the Department, the petitioner asked the defacto complainant to submit her Data collection, within the stipulated time and there is no abuse of any caste name against the defacto complainant and no other students come forward to give such false allegations as against the petitioner.

3. The learned Government Advocate (crl.side) appearing for the respondent states that the petitioner is the sole accused in this case. The defacto complainant one Raveena is the student of Alagappa University, Karaikudi and the petitioner herein is working as Head of the Department of Journalism. The petitioner often made harassment to the defacto complainant through his cell-phone and also asked her to obey his words, otherwise, she will not complete the Data collection and threatened her and thereby committed the offence. He also admitted that no sexual remarks of phonography were recovered from the petitioner herein and the investigation is still pending.



4. Considering the facts and circumstances of the case and also considering the facts that the alleged incriminating materials as stated in Clause 3 and 4 of Section 354(A)(i) of IPC., shown to this Court at the time of argument in this case and the petitioner is working as Head of the Department of Journalism in Alagappa University, Karaikudi, this Court is inclined to grant bail to the petitioner subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing 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 learned Judicial Magistrate, Karaikudi, and on further condition that:

[a] the petitioner shall report before the respondent police daily at 6.00 p.m., for a period of three weeks and thereafter weekly once ie., on every Sunday at 10.30 a.m., until further orders, for interrogation.

[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/-

27/02/2017

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

TO

1 THE JUDICIAL MAGISTRATE, KARAIKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION, KARAIKUDI, SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

5 THE OFFICER IN CHARGE, SUB JAIL, PUDUKKOTTAI.

+1. CC to M/S.S.MAHENDRAPATHY Advocate SR.No.10979

ORDER

IN

CRL OP(MD) No.2076 of 2017

Date :27/02/2017