

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

Tuesday, the Twenty Eighth day of March Two Thousand Seventeen  
PRESENT

**The Hon`ble Mrs.Justice J.NISHA BANU**

CRL OP(MD) No.3635 & 3695 of 2017

WEB COPY

EDWIN DEVADAS

... PETITIONER/ACCUSED NO.1 In  
CRL OP(MD) No.3635 of 2017

E.ATHESAYA KUMAR

... PETITIONER/ACCUSED NO.2 In  
CRL OP(MD) No.3695 of 2017

**Vs**

THE STATE REP.BY  
THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
THOOTHUKUDI DISTRICT.  
(CRIME NO.4 OF 2017)

... RESPONDENT/COMPLAINANT IN BOTH CASES

For Petitioner : M/S.N.ANANDA KUMAR Advocate In CRL OP(MD) No.3635  
of 2017

For Petitioner : M/S.A.THIRUVADI KUMAR Advocate In CRL OP(MD)  
No.3695 of 2017

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side) In Both  
Petitions

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

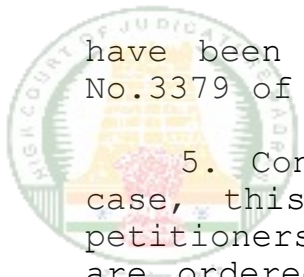
**ORDER :** The Court Made the following order :-

The petitioners, who are arrayed as A-1 and A-2, in Crime No.4 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 354, 509 of I.P.C and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and hence, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate(Crl. Side) for the respondent/State.

3. The case of the prosecution is that the defacto complainant is a student studying 11<sup>th</sup> standard and she is an Athlete. It is alleged that while she was watching a tournament at Namakkal, due to crowd, she sat on the limb of the chair and her coach sat on the chair. But, due to previous enmity with the Coach, the petitioners, had taken photographs and uploaded in the Internet, as if the defacto complainant sat on the lap of her coach.

4. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the co-accused



have been granted anticipatory bail by this Court in CrI.O.P(MD) No.3379 of 2017 vide order dated 23.03.2017.

5. Considering the above said facts and circumstances of the case, this Court is 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 before the learned Judicial Magistrate No.I, Thoothukudi and on each of them 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 Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-  
28/03/2017

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
THOOTHUKUDI.

3.THE INSPECTOR OF POLICE,  
ALL WOMEN POLICE STATION,  
THOOTHUKUDI DISTRICT.

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

+1cc to M/s.V.MALAIYENDRAN, Advocate, in SR No.18439  
+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.18549

ORDER IN  
CRL OP(MD) No.3635 & 3695 of 2017  
Date :28/03/2017