



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

Thursday, the Twenty Fifth day of January Two Thousand Eighteen

WEB COPY

PRESENT

**The Hon`ble Mr.Justice R.PONGIAPPAN**

CRL OP (MD) No.1249 of 2018

VANARAJ,

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP. BY  
THE INSPECTOR OF POLICE,  
MAYILADUMPARAI POLICE STATION,  
THENI DISTRICT  
(CRIME NO.24/2018)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.UTHAYAKUMAR Advocate

For Respondent : MR.A.ROBINSON Government Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/sole accused, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 354(A) I.P.C., and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.24 of 2018, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that on 13.01.2018, the petitioner herein misbehaved the defacto complainant ,due to that there was a wordy quarrel arose between the petitioner and the defacto complainant, thereby, the defacto complainant assaulted the petitioner and left the place.

3.The learned counsel appearing for the petitioner submitted that the petitioner is a Security at Chinnnasuruli Aruvi Forest Toll Gate. The defacto complainant collecting grass from the restricted forest area and crossing the toll gate, at that time, the petitioner stopped the defacto complainant's vehicle and the same was questioned, due to that, there was a wordy quarrel arose between them, the defacto complainant assaulted the petitioner and left the place. He further submitted that the petitioner is an innocent person, he has been falsely implicated in this case, he has not committed any offence as alleged, and pleads for grant of



anticipatory bail to the petitioner.

4.The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that there was a wordy quarrel arose between the petitioner and the defacto complainant, thereby the defacto complainant assaulted the petitioner and no one sustained injuries in this case. According to him investigation is not completed.

5.The submissions made by the learned counsel on either side are considered. According to prosecution, it is alleged that during the time of occurrence, there was a wordy quarrel arose between the petitioner and the defacto complainant and no one sustained injury in this case. Hence, custodial interrogation of the petitioner is not necessary for completing the investigation. Accordingly, he 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, Andipatti, Theni District, 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 at 10.00 a.m until further orders.

(i) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall not abscond either during investigation or trial.

(iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioner shall stand automatically cancelled and 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/-  
25/01/2018

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



1 THE JUDICIAL MAGISTRATE, ANDIPATTI, THENI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
THENI DISTRICT.

3 THE INSPECTOR OF POLICE,  
MAYILADUMPARAI POLICE STATION, THENI DISTRICT

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

+1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.1430

GJM/PM/PN/SAR-3-31.1.18-3P-6C

ORDER

IN

CRL OP(MD) No.1249 of 2018

Date :25/01/2018