



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

Monday, the Twenty Ninth day of January Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1333 of 2018

S.KARUPPAIAH, ... PETITIONER/ACCUSED (SOLE ACCUSED)

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
SEITHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.6.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.SEVUGARAJA Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323, 506(i) IPC r/w Section 4 of Tamil Nadu Women Harassment Act in Crime No.6 of 2018 on the file of the respondent Police, seeks anticipatory bail.

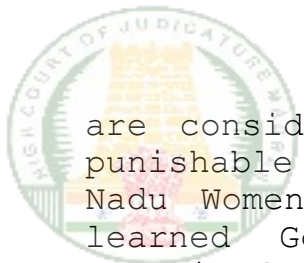
2.The case of the prosecution is that due to some family dispute, the petitioner along with other accused abused the de facto complainant in filthy language, assaulted and also threatened her with dire consequences.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and he is no way connected with the offences, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) submitted that the injured has already been discharged from the hospital and the investigation is still pending.

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

5.The submissions made by the learned counsel on either side



are considered. This case has been registered for the offences punishable under Sections 294(b), 323, 506(i) IPC r/w 4 of Tamil Nadu Women Harassment Act. As per the submissions made by the learned Government Advocate (Crl.side) that the person, who sustained injuries at the time of occurrence, has been discharged from the hospital after completing treatment. Apart from that, except Sections 506 (i) IPC the other offences mentioned in the petition are bailable in nature.

6. Taking all the above said aspects into consideration and having regard to the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. 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, Rajapalayam, Virudhunagar 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 10.30 a.m. for a period of three weeks and thereafter, as and when required for interrogation.

(ii) 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/-
29/01/2018

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



1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM, VIRUDHUNAGAR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3 THE INSPECTOR OF POLICE,
SEITHUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.R.SEVUGARAJA Advocate SR.No.1486

ORDER

IN

CRL OP (MD) No.1333 of 2018

Date :29/01/2018

SMA/CM-VR/SAR-2/31.01.2018:3P/6c