



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

Monday, the Twenty Sixth day of February Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.3015 of 2018

1 ARULDHAS
2 JOHN
3 KULANDAI ANANTH
4 MUTHURAJ

... PETITIONERS/ACCUSED No.1 to 4

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
VADIPATTI POLICE STATION,
MADURAI DISTRICT
(IN CRIME NO.712/2017)

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.C.ARUL VADIVEL @ SEKAR

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 petitioners, who are arrayed as accused nos.1 to 4, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 109, 324 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.712 of 2017, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein are molested the victim girl, who is the servant in a Company, run by the petitioners. Thus, on complaint, a case has been registered against the petitioners.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution and their names have been falsely implicated in this case.

4.The learned Government Advocate (Criminal Side) would submit that the investigation is not yet completed.



5. The submissions made by the learned counsel appearing on either side are considered. It is alleged, during the time of occurrence, the petitioners herein are all molested the victim girl, who is the servant in a company run by the petitioners. So, the alleged occurrence was happened without adopting the procedures, according to law, which was prescribed under the Industrial Disputes Act. Considering the nature of offence committed by the petitioners, the custodial interrogation of the petitioners may not be necessary for completing the investigation. Hence, this Court is inclined to grant anticipatory bail with some stringent conditions to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Vadipatti, Madurai District, on condition that each of the petitioners 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 petitioners shall stay at Salem and report before the Inspector of Police, Town Police Station, Salem, daily at 10.00 a.m. until further orders.

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

(iv) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
26/02/2018

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



TO

1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI

3 THE INSPECTOR OF POLICE
VADIPATTI POLICE STATION, MADURAI DISTRICT

4 THE INSPECTOR OF POLICE, TOWN POLICE STATION, SALEM

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

+1. CC to M/S.S.UDAYAN Advocate SR.No.3033

ORDER

IN

CRL OP (MD) No.3015 of 2018

Date :26/02/2018

SMA/CSL/SAR-3/07.03.2018:3P/7C