



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

Wednesday, the Eleventh day of April Two Thousand Eighteen

PRESENT

**The Hon`ble Mr.Justice G.R.SWAMINATHAN**

**CRL OP(MD) No.5693 of 2018**

SIVASUBRAMANIAN

... PETITIONER/ACCUSED No.1

Vs

THE INSPECTOR OF POLICE,  
TIRUNELVELI TALUK POLICE STATION,  
TIRUNELVELI DISTRICT.  
(FIR IN CRIME NO.353 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.M.VISHNUVARTHANAN, Advocate

For Respondent : M/S.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 apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 354 (c ), 506(i) of IPC and Section 4 of TNPHW Act, 2002, in Crime No.353 of 2017, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity the defacto complainant while peeing, the photographs were taken by the petitioner on 20.10.2017 and floated the same in whatsapp and after the defacto complainant came to know about the same through her son-in-law, questioned the same to the petitioner and that the petitioner threatened the de-facto complainant with dire consequences. Hence, the case has been registered for the above said offences.

3.It is submitted by the learned counsel for the petitioner is that due to previous enmity a false case has been foisted against the petitioner and prays for anticipatory bail in favour of the petitioner.



4. The learned Government Advocate (Criminal side) submitted that that there is no previous case against the petitioner.

5. Considering the facts and circumstances of this case, 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 before the learned Judicial Magistrate-III, Tirunelveli and 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 petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioner 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 shall stand dismissed.

sd/-  
11/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, TIRUNELVELI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE,  
TIRUNELVELI TALUK POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.M.VISHNUVARTHANAN Advocate SR.No.5874

ORDER  
IN  
CRL OP(MD) No.5693 of 2018  
Date :11/04/2018

PK/RR-CSL/SAR-2/16.04.2018 : 2P/6C