



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

Monday, the Seventeenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21469 of 2018

KALEEL RAHUMAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KEELAKARAI,
RAMANATHAPURAM DISTRICT.
CRIME NO.12/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.PANDIARAJAN, Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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 alleged offences punishable under Sections 341, 342, 354(A) and 506(i) I.P.C and Section 4 of Tamil Nadu Women Harassment Act and 66A IT Act in Crime No.12 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that due to illegal conduct of the petitioner, the defacto complainant made a complaint.

3.The learned counsel for the petitioner submitted that there is some family dispute between the petitioner and the de facto complainant. The de facto complainant lodged a complaint before the respondent police earlier in the year 2015. The case has been registered against the petitioner's wife at the instance of the de facto complainant's family. After full trial, the case has been taken on file in C.C.No.28 of 2015 and the same was ended into acquittal. The animosity between both the families still exists. Due to family dispute, a false case has been foisted against him and he had nothing to do with the alleged offence.

4.The learned Additional Public Prosecutor would submit that the investigation is pending.



5.Considering the above submissions, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions;

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the Additional Mahila Court, Ramanathapuram on condition that the petitioner shall execute 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;

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent Police daily at 10.00 a.m until further orders for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, 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]**.

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

17/12/2018

/ TRUE COPY /

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

TO

1. THE JUDGE,
ADDITIONAL MAHILA COURT, RAMANATHAPURAM.
2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
KEELAKARAI, RAMANATHAPURAM DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.M.PANDIARAJAN Advocate SR.No.23459

ORDER IN

CRL OP(MD) No.21469 of 2018

Date :17/12/2018