



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

Thursday, the Third day of May Two Thousand Eighteen

PRESENT

**The Hon`ble Mrs.Justice R.THARANI**

CRL OP (MD) No.7547 of 2018

V.VELMURUGAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY  
THE INSEPCTOR OF POLICE  
AUNDIPATTI POLICE STATION,  
CR NO. 334 OF 2018,  
THENI DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SUBASH BABU Advocate

For Respondent : MR.M.ASOKAN, Government Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehending arrest at the hands of the respondent Police for the offence punishable under Sections 294 (b), 354, 324 of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.334 of 2018 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner entered into the house of the defacto complainant and attempted to molest, assaulted and abused the defacto complainant.

3. The learned counsel for the petitioner submitted that the defacto complainant is the second wife of the petitioner's father and that there is a delay in filing complaint and due to property dispute, a complaint has been lodged by the defacto complainant against the petitioner and that the mother of the petitioner has filed a case against the defacto complainant herein and prays for anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that no one is injured in



this case and admitted that the defacto complainant and the petitioner are relatives.

5. Considering the facts and circumstances of the case and that there is property dispute between the parties and also taking note of the fact that the defacto complainant and the petitioner are relatives, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Aundipatti 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 respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

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

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

[d] 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)**.

sd/-  
03/05/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, AUNDIPATTI



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
THENI DISTRICT.

3 THE INSEPCTOR OF POLICE, AUNDIPATTI POLICE STATION,  
THENI DISTRICT

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

+1. CC to M/S.M.SUBASH BABU Advocate SR.No.8149

KSA

GJM/PN/ASVM/7.5.18-3P-6C

ORDER

IN

CRL OP(MD) No.7547 of 2018

Date :03/05/2018