



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

Tuesday, the Fourteenth day of August Two Thousand Eighteen

PRESENT

**The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN**

**CRL OP(MD) No.14467 of 2018**

ARUMUGAM @ ARUMUGATHAI

... PETITIONER/ACCUSED No.2

Vs

THE INSPECTOR OF POLICE  
TIRUNELVELI TALUK POLICE STATION,  
TIRUNELVELI DISTRICT.  
(CR.NO.353/2017)

... RESPONDENT/COMPLAINANT

For Petitioner : MR.P.M.VISHNUVARTHANAN, Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner/A2 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 354(C), 506(i) of I.P.C. and Section 4 of TNPHW Act, 2002, in crime No.353 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the first accused took a photograph of the defacto complainant and when the same was questioned by the defacto complainant, A1 threatened her with dire consequences and hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that due to previous enmity, false case has been foisted against the petitioner and her son. There is a civil dispute between both the families in respect of 3 cents. Furthermore, the petitioner filed a quash petition to quash the present FIR in CrI.O.p.(MD) No.2635 of 2018, in which, this Court admitted the petition and granted stay. Further, A1 was granted anticipatory bail by this Court in CrI.O.P.(MD) No.5693 of 2018 dated 11.04.2018.

4.The learned Additional Public Prosecutor submitted that since stay was granted, the respondent is not able to proceed the case.



5. Considering the facts and circumstances of the case and considering the fact the FIR has been stayed by this Court and already A1 was granted anticipatory bail, 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 her appearance before the learned Judicial Magistrate No.III, Tirunelveli and on her executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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/-  
14/08/2018

/ 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 MR.P.M.VISHNUVARTHANAN, Advocate SR.No.15618

ORDER  
IN  
CRL OP(MD) No.14467 of 2018  
Date :14/08/2018

PK/JC/SAR-1/21.08.2018 : 2P/6C