



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.22921 of 2018

PUGHAZHENTHI,

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
PATTUKOTTAI TALUK POLICE STATION,
THANJAVUR DISTRICT.
(IN CRIME NO.283 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.D.R.MURUGESAN Advocate

For Respondent : MR.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, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and 506(ii) I.P.C r/w Section 4 of the Tamil Nadu Prohibition of Women Harassment Act in Crime No.283 of 2018 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 01.12.2018, the petitioner and his wife had forcibly taken soil from the de-facto complainant's property. When the same was questioned by the de-facto complainant, the petitioner assaulted the de-facto complainant by using a spade and thereby she sustained injuries. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate [Criminal Side] appearing for the respondent.

4. According to the petitioner, he is an innocent and he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case.

5. The learned Government Advocate [Criminal side] for the respondent submitted that the injured has been discharged from the hospital on 12.12.2018.



6. Considering the fact and circumstances of the case and also considering the fact that the dispute arose on account of land dispute and the injured has been discharged from the hospital, 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 before the learned Judicial Magistrate, Pattukottai, Thanjavur District and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the learned Judicial Magistrate, Pattukottai, Thanjavur District concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30.am., until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
27/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
PATTUKOTTAI, THANJAVUR DISTRICT.
2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
PATTUKOTTAI TALUK POLICE STATION,
THANJAVUR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.D.R.MURUGESAN Advocate SR.No.24067

ORDER
IN
CRL OP(MD) No.22921 of 2018
Date : 27/12/2018

AE/JC/SAR4/03.01.2019/2P/6C