



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

Thursday, the Twenty Ninth day of November Two Thousand Eighteen
PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21160 of 2018

G. SIGAPPE @ SIGAPPI

... PETITIONER / ACCUSED NO.2

Vs

STATE THROUGH,
THE INSPECTOR OF POLICE,
R.S. MANGALAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
(IN CRIME NO. 150 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.RAMANATHAN Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI Govt. 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 offences punishable under Sections 294(b), 323 IPC r/w 4 of Women Harassment Act 2002, in Crime No.150 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that on 26.10.2018, the petitioner's cattle went to the defacto complainant's land and grazing the coconut sapling, due to which wordy quarrel arose between them. The petitioner and other assaulted the defacto complainant and caused injuries. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Hence, anticipatory bail may be granted to the petitioner.

4. Heard the learned Additional Public Prosecutor.

5. Taking note of the fact that this offence involved is civil in nature, 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 learned District Cum Munsif and Judicial Magistrate Court, Thiruvadanai, Ramanathapuram District, 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 said Magistrate concerned and on further condition that:

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

[b] the petitioners shall report before the respondent police as and when required 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**. and

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

sd/-
29/11/2018

/ TRUE COPY /

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

TO

- 1 THE DISTRICT CUM MUNSIF AND
JUDICIAL MAGISTRATE COURT, THIRUVADANAI,
RAMANATHAPURAM DISTRICT.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE
R.S. MANGALAM POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.K.RAMANATHAN Advocate SR.No.22338
PS/VR-MMS/SAR-4/04/12/2018/2P/6C

ORDER
IN
CRL OP(MD) No.21160 of 2018
Date :29/11/2018