



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

Wednesday, the Fifth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.21439 of 2018

1.AJAY
2 RAHUL

... PETITIONERS / ACCUSED Nos.6 & 7

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
MANALMELKUDI POLICE STATION,
PUDUKKOTTAI DISTRICT.
(IN CRIME NO. 133 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners : MR.S.PAKALAVAN 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 petitioners are apprehending arrest at the hands of the respondent police for the offence punishable under Section 147, 294 (b), 323, 506(i), 379(NP) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.133 of 2018, seek anticipatory bail.

2.The case of the prosecution is that on 25.11.2018, the accused persons and the defacto complainant had a wordy quarrel with regard to the distribution of food items and other articles to the Kaja Cyclone affected people in Pudukottai. In which, the petitioners have attacked the defacto complainant and scolded her in filthy language. In this incident, the defact complainant lost her three sovereigns of gold chain. Hence the complaint has been filed.

3.The learned counsel for the petitioner submitted that there are seven accused in this case and the petitioners are 6th and 7th accused, who are college students. He further submitted that the petitioners were falsely implicated in this case.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate submitted that the



petitioners names were not found in the First Information Report.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthangi, on condition that the petitioners shall execute 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:

[a] if the petitioners fail to surrender before the concerned Magistrate within a period of fifteen days, this order shall stand automatically cancelled without any reference to the Court.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

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

[d] the petitioners 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]**.

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

sd/-

05/12/2018

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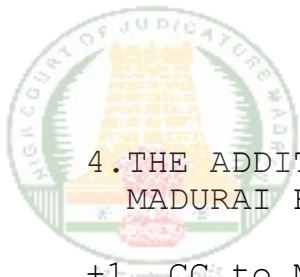
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE, ARANTHNGI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT

3. THE INSPECTOR OF POLICE,
MANALMELURU POLICE STATION,
PUDUKKOTTAI DISTRICT.



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

+1. CC to MR.S.PAKALAVAN Advocate SR.No.22685

WEB COPY

ORDER

IN

CRL OP (MD) No.21439 of 2018

Date : 05/12/2018

pnn

AE/PN AC/SAR1/11.12.2018/3P/6C