



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

Monday, the Twelfth day of November Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.20168 of 2018

1 SOUNDHAR
2 KANNAN
3 SELVI

... PETITIONERS / ACCUSED No. 1 to 3

Vs

STATE REPRESENTED BY
INSPECTOR OF POLICE
RAMESHWARAM TOWN POLICE STATION ,
RAMESHWARAM, RAMANATHAPURAM DISTRICT
CRIME NO.178 of 2018

... RESPONDENT/ COMPLAINANT

For Petitioners : MR.V.ELAIYARAJA Advocate

For Respondent : MR.S.CHANDRASEKAR, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) I.P.C and 379 (NH) of I.P.C and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.178 of 2018, seek anticipatory bail.

2. The case of the prosecution is that the first petitioner obtained loan from the defacto complainant's mother and when the same was questioned by the defacto complainant, the first petitioner replied in a casual manner, due to which, there was a wordy quarrel between them. The petitioners assaulted the defacto complainant and threatened him with dire consequences and stolen the two sovereigns of gold chain. Hence a case has been registered against the petitioners herein.

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. The first petitioner lodged a complaint against the defacto complainant and other accused persons, thereafter, a case has been registered in Crime No.179 of 2018 for



the offences punishable under Sections 294(b), 355 and 506(i) of I.P.C.

4. Heard the learned Additional Public Prosecutor for the respondent.

5. Considering the facts and circumstances of the case and that this case in counter case, this Court is inclined to grant anticipatory bail to the petitioners.

6. 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 Court, Rameshwaram. 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 said Magistrate, on further condition that:

[a] the first and second petitioners shall appear before the respondent police daily at 10.30.am., for a period of two weeks, thereafter, as and when required for interrogation. The third petitioner shall appear before the respondent police as and when required for interrogation.

[b] if the petitioners failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

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

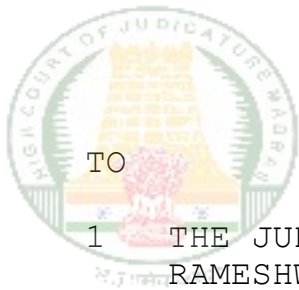
[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the 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]**.

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

sd/-
12/11/2018

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE
RAMESHWARAM

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM

3 THE INSPECTOR OF POLICE
RAMESHWARAM TOWN POLICE STATION ,
RAMESHWARAM, RAMANATHAPURAM DISTRICT

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

+1. CC to MR.V.ELAIYARAJA Advocate SR.No.21422

ORDER

IN

CRL OP(MD) No.20168 of 2018

Date :12/11/2018

MSI/JC/SAR-IV/14.11.2018-3P/6C