



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

Thursday, the Thirty First day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.1597 of 2019

RAJKUMAR

... PETITIONER/ACCUSED
(RANK NOT KNOWN)

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
STHANKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
IN CRIMEE NO.18 OF 2019

... RESPONDENT/COMPLAINANT

For Petitioner : MR.R.PONKARTHIKEYAN, Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
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 offence punishable under Sections 447, 354, 294(b) and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.18 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel, the petitioner has abused the defacto complainant in filthy language in the drunken mood. This is the case and counter case.

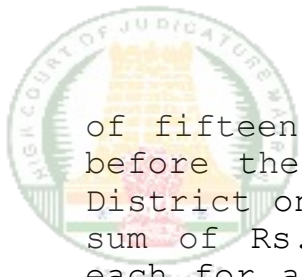
3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent police on instructions would submit that this is the case and counter and the investigation is pending.

5. Taking into consideration the facts of the case and the submissions by learned counsels ,this Court inclined to grant anticipatory bail to the petitioner.

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

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period



of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sathankulam, Thirunelveli 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, 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 petitioner 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 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/-

31/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
SATHANKULAM, THIRUNELVELI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT

3 THE INSPECTOR OF POLICE,
SATHANKULAM POLICE STATION, THOOTHUKUDI DISTRICT.

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

+1. CC to MR.R.PONKARTHIKEYAN, Advocate SR.No.2070

ORDER

IN

CRL OP(MD) No.1597 of 2019

Date :31/01/2019