



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

Friday, the Fourth day of January Two Thousand Nineteen

PRESENT

**The Hon`ble Mr.Justice M.NIRMAL KUMAR**

**CRL OP(MD) No.21 of 2019**

RAMKUMAR

... PETITIONER / ACCUSED NO. 2

Vs

STATE REP. BY ITS,  
THE INSPECTOR OF POLICE  
CHATHIRAKUDI POLICE STATION,  
RAMANATHAPURAM DISTRICT  
(CRIME NO. 179 of 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.RAMASAMY 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 :-

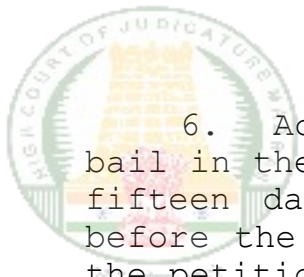
The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 448, 294(b), 323 IPC and Section 4 of Woman Harassment Act in Crime No.179 of 2015 seeks anticipatory bail.

2.The case of the prosecution is that due to civil dispute, the petitioner is said to have attacked the defacto complainant and caused injuries to her.

3. The learned counsel for the petitioner would submit that a false case has been foisted against him and she had nothing to do with the alleged offence.

4. The learned Government Advocate (Crl.Side) would submit that the first accused was granted anticipatory bail and the third accused in this case was arrested and released on bail.

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



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 Paramakudi 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 fails 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 daily at 10.30 am for a period of two weeks and thereafter 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/-

04/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE  
PARAMAKUDI, RAMANATHAPURAM DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE  
CHATHIRAKUDI POLICE STATION, RAMANATHAPURAM DISTRICT

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

+1. CC to M/S.S.RAMASAMY Advocate SR.No.223

ORDER IN

CRL OP(MD) No.21 of 2019

Date :04/01/2019