



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

Wednesday, the Thirteenth day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2289 of 2019

MURUGAN

... PETITIONER / SOLE ACCUSED

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
MUTHUKULATHUR POLICE STATION,
MUTHUKULATHUR,
RAMNAD DISTRICT
Crime No.8/2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.D.ANBARASU Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI
GOVERNMENT ADVOCATE (CRIMINAL SIDE)

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

ORDER : The Court Made the following order :-

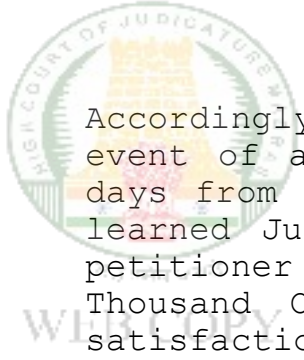
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323 IPC and Section 4 of Tamil Nadu Prohibition of Women Harassment Act in Cr.No.8 of 2019 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity the petitioner assaulted the defacto complainant. Due to which, the defacto complainant sustained simple injury.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the injured person is taking treatment as out patient.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.



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, Muthukulathur, 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 respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., 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 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
13/02/2019

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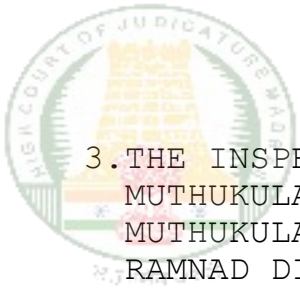
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,/
MUTHUKULATHUR.

2. THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.courts.gov.in/hcservices/>
KANNAD DISTRICT.



3. THE INSPECTOR OF POLICE,
MUTHUKULATHUR POLICE STATION,
MUTHUKULATHUR,
RAMNAD DISTRICT.

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

+1. CC to Mr.D.ANBARASU Advocate SR.No.2998

ORDER
IN
CRL OP(MD) No.2289 of 2019
Date :13/02/2019

TK/VR/SAR.1/19.02.2019/3P/6C