



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

Friday, the Twenty Second day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.2739 of 2019

KARUPPAIAH @ RAMAKRISHNAN

... PETITIONER / ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SAMAYANALLUR, MADURAI DISTRICT.
(CRIME NO.127 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.SADESKUMAR 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 who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 498(A) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act in Cr.No.127 of 2015, on the file of the respondent police, seeks anticipatory bail.

2.The investigation has been completed and final report has also been filed in C.C.No.101 of 2018. Since non-appearance of the petitioner, the Law Enforcing Agency filed absconding charge sheet before the concerned Court below and the learned Magistrate also issued Non-Bailable Warrant as against the petitioner. Hence, the present anticipatory bail petition has been filed.

3.The learned counsel appearing for the petitioner would submit that without issue summons to the petitioner, the Court below issued Non-Bailable Warrant, however, the petitioner is ready to appear before the Court below without fail.

4.The learned Government Advocate(Crl.side) due to non-appearance of the petitioner, the Court below issued Non-Bailable Warrant.



5. Considering the facts and circumstances of the case and considering the fact that without issuing summons, straightly issued Non-Bailable Warrant, this Court is inclined to grant anticipatory bail to the petitioner.

4. 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, Vadipatti, Madurai 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 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the learned Judicial Magistrate, Vadipatti, Madurai District daily at 10.30 a.m., until further orders;

(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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

22/02/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI DISTRICT.



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

3.THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SAMAYANALLUR,
MADURAI DISTRICT.

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

+1. CC to MR.S.SADESKUMAR Advocate SR.No.3608

ORDER

IN

CRL OP (MD) No.2739 of 2019

Date :22/02/2019

AE/JC/SAR-II/07.03.2019/3P/6C