



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

Wednesday, the Third day of April Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.5059 of 2019

1 RAJASEKARAN,

2 PANDIAMMAL,

... PETITIONERS / ACCUSED NO.1 AND 2

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE,

AUSTINPATTI P.S., MADURAI DT.

(CRIME.NO.98 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.M.PALANI 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 petitioners who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294 (b), 324 and 4 of Women Harassment Act, in Crime No.98 of 2019, on the file of the respondent police, seek anticipatory bail.

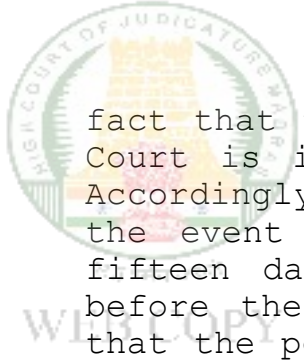
2.It is the case of the prosecution that there was a dispute between the petitioners and the defacto complainant with regarding to take water from the Public Water Tap. The petitioners assaulted the defacto complainant and abusing her filthy language in a public place. Hence, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel appearing for the petitioners would submit that the petitioners have been falsely implicated in this case and they have nothing to do with the alleged offence. He would further submitted that the petitioners were also sustained injuries and were admitted in hospital.

4.The learned Government Advocate(Crl.side) appearing for the respondent police would submit that injured has been discharged from the hospital.

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

5.Considering the facts and circumstances and considering the



fact that the injured had been discharged from the hospital , this Court is inclined to grant anticipatory bail to the petitioners. 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, Tirumangalam 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 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

(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 petitioners 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/-

03/04/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
TIRUMANGALAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



3 THE INSPECTOR OF POLICE,
AUSTINPATTI P.S., MADURAI DISTRICT.

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

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+1. CC to Mr.M.PALANI Advocate SR.No.6193

PS/JC/SAR-4/08.04.2019/3P/6C

ORDER

IN

CRL OP (MD) No.5059 of 2019

Date :03/04/2019