



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

Tuesday, the Sixteenth day of April Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.5698 of 2019

1 RAGAVAN
2 PAVITHIRAN
3 KRISHNAKUMAR

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
MUTHUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.38 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.UTHAYAKUMAR Advocate

For Respondent : MR.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 323, 506(i), 354 of IPC r/w Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.38 of 2019, on the file of the respondent police, seek anticipatory bail.

2.It is the case of the prosecution that the petitioners are student s and the defacto complainant is their college-mate(senior). The defacto complainant made a complaint against the petitioners as if the petitioners were misbehaved and used abuse words. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case and hence they prayed for granting anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the State would submit the petitioners and the defacto complainant are collegemates and the petitioners misbehaved with their senior



collegemate/defacto complainant, thereby, the complaint was registered, the investigation is still pending and there is no previous case as against the petitioners. Hence, this Court may consider the anticipatory bail application of the petitioners.

5. Considering the facts and circumstances of the case, there is no serious allegations against the petitioners, 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, Muthukulathur, Ramanathapuram District, on condition that the petitioner 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 as and when required for interrogation;

(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;

(f) 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;

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

sd/-

16/04/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
MUTHUKULATHUR, RAMANATHAPURAM DISTRICT.

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

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.



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

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

ORDER
IN
CRL OP(MD) No.5698 of 2019
Date :16/04/2019

JM/JC/SAR 3/26.04.2019/3P/5C