



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

Friday, the First day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.593 of 2019

D.JEYASEELAN

... PETITIONER / ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
KODAIKKANAL POLICE STATION,
KODAIKKANAL,
DINDIGUL DISTRICT.
CRIME NO. (*)39 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.KANNAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government 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 offences punishable under Sections **(*)354(A), 506(i) and 511** of IPC in Cr.No. **(*)39 of 2019** seeks anticipatory bail.

2. The case of the prosecution is that the petitioner herein misbehaved with the defacto complainant on 23.03.2018 when she was given lift by the petitioner in his car and thereafter the petitioner is said to have harassed the defacto complainant.

3. The learned counsel for the petitioner would submit the petitioner has been falsely implicated in this case and he has nothing to do with the alleged offence. He would further submit that due to some money transactions between them a false case has been foisted against him.

4. The learned Government Advocate (Crl.Side) would submit that investigation is pending.



5. Taking into consideration the facts of the case and the submissions by learned counsels, this Court 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, before the learned Judicial Magistrate, Kodaikanal 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 said Magistrate, on further condition that:

[a] if the petitioner fail 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 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/-

01/02/2019

(*)Amended as per the order of this Honourable court made CRL MP(MD) NO.987/2019 in CRL OP(MD) NO.593/2019 dated 01/02/2019.

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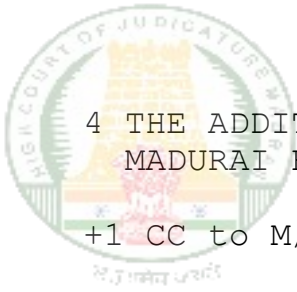
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE,
KODAIKANAL.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3 THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
KODAIKANAL, DINDIGUL DISTRICT.



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

+1 CC to M/s.M.KANANAN, Advocate (SR-2121 dated 01/02/2019)

WEB COPY

ORDER

IN

CRL OP(MD) No.593 of 2019

Date :01/02/2019

JM/JC/SAR 1/13.02.2019/3P/6C