



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

Tuesday, the Eighteenth day of June Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.8350 of 2019

JEYAPANDI

... PETITIONER / ACCUSED NO.1

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
BODI, THENI DISTRICT.
(CRIME NO.1/2019)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.R.SELVARAJ Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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 offences punishable under Sections 294 (b), 506 (i) of IPC and Section 4 of TNPWH Act, in Crime No.1 of 2019, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that as per the FIR, the defacto complainant is a widow and she got two male children, After the death of her husband, she left from the matrimonial home and stayed with her children at her parents' house. The petitioner is a nearby resident of her parents' house and he threatened the defacto complainant with dire consequences to marry him. He further submitted that no one sustained any injury and therefore, he prayed anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent has submitted that the petitioner has criminally intimidated the defacto complainant and compelling her to marry him and hence he opposed this petition.



5. Taking into consideration of the fact that only wordy quarrel arose between the petitioner and the defacto complainant and no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. 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, Aundipatti, Theni 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) If the petitioner fail to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall not abscond either during investigation or trial.

(v) 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].

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

sd/-

18/06/2019

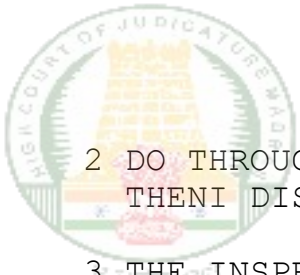
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

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

THE JUDICIAL MAGISTRATE,
AUNDIPATTI, THENI DISTRICT.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
BODI, THENI DISTRICT.

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

+1. CC to M/S.R.SELVARAJ Advocate SR.No. 9969

ORDER

IN

CRL OP (MD) No.8350 of 2019

Date :18/06/2019

JM/VR/SAR 2/25.06.2019/3P/6C