



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 02/07/2019

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.9253 of 2019

J.Lawrance Edward

... Petitioner/Accused

Vs

State rep.by its
The Inspector of Police,
Kenikarai Police Station,
Kenikarai Taluk, Ramanathapuram District.
Crime No.189 of 2019.

... Respondent/Complainant

For Petitioner : M/s.K.P.Ramesh,
Advocate.

For Respondent : Mrs.M.Ananthadevi,
Govt.Advocate (Crl.Side).

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

PRAYER :-

For Anticipatory Bail in Crime No.189 of 2019 on the file of the respondent Police.

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) and 506 (i) of IPC, in Crime No. 189 of 2019, seeks anticipatory bail.

2. Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that due to the petitioner scolded the defacto complainant, a false case has been foisted against the petitioner. He further submitted that the defacto complainant had illegal intimacy with other teacher namely, Moovendhar and they were used the class rooms for their own purpose. This was questioned by the petitioner, the defacto complainant prepared the students to make false complaint against the petitioner, and therefore, he prayed anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the respondent has submitted that the petitioner scolded the defacto complainant with filthy language and threatened her with dire consequence. Hence, she opposed this petition.

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5. Taking into consideration the fact that there is no specific allegation made against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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, No.II, Ramanathapuram 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/-
02/07/2019

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TO

1.The Judicial Magistrate,No.II,
Ramanathapuram District.

2.Do-Through The Chief Judicial Magistrate,
Ramanathapuram District.

3.The Inspector of Police,
Kenikarai Police Station,
Kenikarai Taluk, Ramanathapuram District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2 CC to M/s.K.P.RAMESH, Advocate (SR-10849[I] dated 02/07/2019)

ORDER

IN

CRL OP (MD) No.9253 of 2019

dss

TK/PN/SAR.4/04.07.2019/3P/7C