



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

Thursday, the Seventh day of February Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.20145 of 2018

CHELLADURAI

... PETITIONER / ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
NILAKOTTAI,
DINDIGUL DISTRICT
CRIME NO.10/2018

... RESPONDENT

For Petitioner : MR.S.A.AJMAL KHAN 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 petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 506 (i) and 509 IPC and Section 4 of TNWH Act in Cr.No.10 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner gave a love torture to the defacto complainant and the defacto complainant refused to his wish and thereafter, the petitioner harassed the defacto complainant by posting defamatory words as against the defacto complainant as well as her family, for which the defacto complainant lodged a complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. He would further submit that in respect of love dispute between the parties the petitioner filed a complaint against the defacto complainant's brother and hence, the present false complaint was given against the petitioner. He would also submit that in the month of November 2018, marriage between the petitioner and one Chellapapa was arranged and they are living



happily and that due to some vengeance the defacto complainant lodged a complaint.

4.The learned Additional Public Prosecutor appearing for the respondent police would submit that investigation is pending.

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5.In view of the above, this Court is inclined to grant anticipatory bail to the petitioner. 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, Nilakottai, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner 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 petitioner shall report before the respondent police as and when required;

(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]**; and;

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

sd/-
07/02/2019

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



TO

1 THE JUDICIAL MAGISTRATE
NILAKOTTAI, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT

3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, NILAKOTTAI,
DINDIGUL DISTRICT

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

+1. CC to MR.S.A.AJMAL KHAN Advocate SR.No.2613

ORDER

IN

CRL OP(MD) No.20145 of 2018

Date :07/02/2019

MSI/JC/SAR-II/12.02.2019-3P/6C