



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

Wednesday, the Second day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.22754 of 2018

HARIKRISHNAN

... PETITIONER / ACCUSED No.6

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
C4. Y. OTHAKADAI POLICE STATION,
Y. OTHAKADAI,
MADURAI DISTRICT.
(IN CRIME NO. 454 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.T.VADIVELAN 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 apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323 and 506(i) I.P.C and Section 4 of TNPHW Act, 2002 in Crime No.454 of 2018 seeks anticipatory bail.

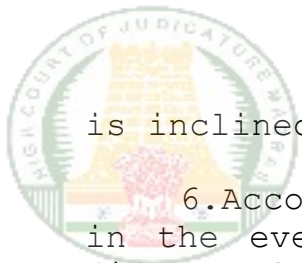
2.The case of the prosecution is that the petitioner along with A1 to A5 assaulted the defacto complainant and threatened her with dire consequences by using filthy language.

3.The learned counsel for the petitioner would submit that a false case has been foisted against him and he had nothing to do with the alleged crime with an intention to cheat the petitioner. The A1 to A5 in this case were granted anticipatory bail by this Court.

4.The learned Government Advocate (Crl. Side) submits that the petitioner is arrayed as A6. He further submits that it is a family dispute between the husband and wife.

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

5.Taking into consideration the facts of the case, this Court



is 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur, 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 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/-
02/01/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
MELUR, MADURAI DISTRICT.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,
C4. Y. OTHAKADAI POLICE STATION,
Y. OTHAKADAI, MADURAI DISTRICT



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

+1. CC to MR.T.VADIVELAN Advocate SR.No.34

ORDER

IN

CRL OP (MD) No.22754 of 2018

Date :02/01/2019

AE/JC/SAR1/08.01.2019/3P/6C