



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

Wednesday, the Twenty Third day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.22925 of 2018

A.SARAVANA VIJAYAKUMAR

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
CHIPKAADU POLICE STATION,
TUTICORIN DISTRICT.
CRIME NO.NOT KNOWN OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.M.PRISCILLA JANCY, Advocate

For Respondent : Mr.A.ROBINSON, Govt. 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 offence punishable under Sections 294(b), 323, 506(ii) IPC and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, has filed the present criminal original petition seeking anticipatory bail.

2. When the matter came up for hearing in the earlier occasion, it was represented on behalf of the respondent police that it was only a petition enquiry and therefore, this Court was inclined to pass an order directing the petitioner to appear before the respondent police for enquiry. But, it appears that the respondent police had registered a case against the petitioner in Crime No.557 of 2018, for the offence punishable under Sections 294(b), 354 & 506 (ii) IPC. Therefore, this matter is posted today under the caption 'for clarification'.

3. Learned Counsel for the petitioner submitted that this is a case in counter and that the petitioner was attacked by the defacto complainant and party. In this regard, a case was also registered in Crime No.556 of 2018 before the respondent police. Only as a counter complaint, the present case has been foisted against the petitioner and therefore, the learned Counsel prayed for anticipatory bail, as



the petitioner is working as Conductor in the Tamil Nadu Transport Corporation.

4. The learned Government Advocate (Crl. Side), on the other hand, produced a copy of the First Information Report in Crime No.557 of 2018 and reiterated the case of the prosecution from the First Information Report.

5. Perusal of the First Information Report would disclose serious offence that at about 12.30 am, in the late hours, when the defacto complainant travelled in a Corporation Bus from Chennai to Tuticorin, the petitioner herein, who is the Conductor and the Custodian of the Bus, has misbehaved with her.

6. Considering the nature of offence, this Court is not inclined to grant anticipatory bail to the petitioner and accordingly, this petition is dismissed.

sd/-

23/01/2019

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

TO

1. THE INSPECTOR OF POLICE,
CHIPKAADU POLICE STATION,
TUTICORIN DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.22925 of 2018

Date :23/01/2019

MS/PN/SAR-1/07.02.2019/2P.3C