



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

Wednesday, the Ninth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21141 of 2018

1.A.RAFEEK
2.PARANITHARAN

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
MANALMEDUKUDI POLICE STATION,
PUDUKOTTAI DISTRICT.
(CRIME NO.133/2018)

... RESPONDENT / COMPLAINANT

RAJALAKSHMI

...INTERVENER/NIL/DEFACTO COMPLAINANT

For Petitioners : Mr.R.VENKATESHWAR Advocate

For Respondent : Mr.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

For Intervener :M/S.P.MALINI

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

ORDER : The Court Made the following order :-

The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(i), 379 of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Cr.No.133 of 2018 seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused persons assaulted the defacto complainant and abused him in filthy language and threatened with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners would submit that a false case has been foisted against them and they had nothing to do with the alleged crime.

4The learned Government Advocate (Crl. Side) submits that the co-accused has been granted anticipatory bail by this Court.

<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 petitioners .



6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthangi, Pudukkottai District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police as and when required for interrogation

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
09/01/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
ARANTHANGI, PUDUKKOTTAI DISTRICT.

2. THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.



3. THE INSPECTOR OF POLICE,
MANALMEDUKUDI POLICE STATION,
PUDUKOTTAI DISTRICT.

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

+1. CC to Mr.R.VENKATESHWAR Advocate SR.No.498

ORDER

IN

CRL OP (MD) No.21141 of 2018

Date :09/01/2019

TK/JC/SAR-1/28.01.2019/3P/6C