



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 27/02/2020

WEB COPY

PRESENT

**The Hon`ble Mr.Justice G.R.SWAMINATHAN**

CRL OP(MD) . No.2943 of 2020

P.Ponnatchi

... Petitioner/Accused  
Rank Not Known

Vs

State Rep.by  
The Inspector of Police,  
Melur Police Station,  
Madurai District.  
Crime No.120 of 2020

... Respondent/Complainant

Alagu

... Petitioner/ Intervener

For Petitioner : Mr.S.Malaimuthuan, Advocate.

For Respondent : Mr.A.Robinson,  
Government Advocate (Crl.Side)

For Intervener : Mr.J.Jeyakumaran, Advocate

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

**PRAYER :-**

for Anticipatory bail in Crime No.120 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner the learned counsel appearing for the intervener and the learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences under sections 294(b), 323 and 506(i) of I.P.C. and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.120 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. It is seen that the brother of the defacto complainant has obtained a decree in O.S.No.59 of 2016 on the file of the District Munsif Court, Melur on 27.08.2018. The petitioner is figuring as



4. The learned counsel for the intervener states that the petitioner is acting in defiance of decree given by the Civil Court which has not been challenged till date.

5. The petitioner's counsel on instructions states that the petitioner as well as other defendants will strictly adhere to the decree dated 27.08.2018 made in O.S.No.59 of 2016 on the file of District Munsif Court, Melur.

6. The defacto complainant also alleges that the petitioner is threatening to embarrass the defacto complainant by uploading some videos pertaining to her.

7. The petitioner again informs the Court that he is not possessing any embarrassing videos pertaining to the defacto complainant and that in any event he will not do anything that may embarrass the defacto complainant even remotely. These twin undertakings have been given before this Court. The petitioner will file an affidavit to this effect before the Court below at the time of surrender. It is made clear that if this undertaking is breached, this Court will not hesitate to cancel the anticipatory bail and commit him to custody.

8. Recording the petitioner's undertakings, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Melur, Madurai District, and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

9. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-  
27/02/2020

/ TRUE COPY /

/ /2020  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE, MELUR,  
MADURAI DISTRICT.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
MADURAI DISTRICT.

3. THE INSPECTOR OF POLICE,  
MELUR POLICE STATION, MADURAI DISTRICT.

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

+1 CC to M/s.J.JEYAKUMARAN, Advocate ( SR-4288[I] dated 27/02/2020 )

+1 CC to M/s.P.SARAVANAN, Advocate ( SR-4350[I] dated 28/02/2020 )

ORDER

IN

CRL OP(MD) No.2943 of 2020

Date :27/02/2020

MS/VR/SAR-4/04.03.2020/3P.7C