



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.3510 of 2020

Ramar

... Petitioner/Sole Accused

Vs

State represented by
The Inspector of Police,
Parthibanur Police Station,
Ramanathpuram District,
Cr.No.46 of 2020.

... Respondent/Complainant

For Petitioner : Mr.D.Senthil,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory bail in Crime No.46 of 2020 on the file of the Respondent Police

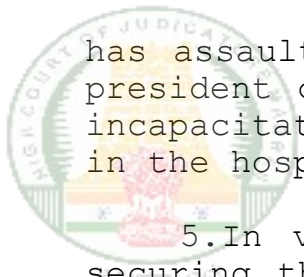
ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 324, 506(ii) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.46 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the dispute is due to quarrel regarding goat grazing.

3.The petitioner herein has assaulted the de-facto complainant on her head with iron rod and kicked her on the stomach. The de-facto complainant was hospitalized on 21.02.2020 and got discharged on 02.03.2020. The petitioner herein is absconding.

4.According to the petitioner it is a family dispute and the de-facto complainant is none other than the sister of the petitioner's wife. However, the First Information Report indicates that the de-facto complainant intervened when the petitioner abusing his mother with filthy language infuriated by the petitioner



has assaulted the de-facto complainant, who is also the local vice president of the panchayat. The head injury caused by iron rod as incapacitated by the de-facto complainant for 20 days being confined in the hospital.

5. In view of the above fact, for completion of investigation securing the petitioner is necessary. Now the petitioner has come forward to surrender and submit himself for investigation, hence, 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 Judicial Magistrate, Paramakudi, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to 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 daily at 10.30 a.m and 05.00 p.m until further orders;

(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/-

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

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TO

1. The Judicial Magistrate, Paramakudi.

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

2. Do-Through the Chief Judicial Magistrate,
Ramanathapuram District.



3. The Inspector of Police,
Parthibanur Police Station,
Ramanathapuram District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.D.Senthil, Advocate Sr.No.4749

ORDER

IN

CRL OP(MD) No.3510 of 2020

Date : 03/03/2020

VB SKN SAR3(06.03.2020) 3P 6C