



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

Date : 28/02/2020

PRESENT

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

CRL OP(MD). No.3896 of 2020

... Petitioner/Accused

Manokaran

Vs

1. State rep. By

The Assistant Commissioner Of Police,
Tirunelveli City, Tirunelveli District..

2. State Through

The Inspector of Police,
Tirunelveli Town Police Station,
Tirunelveli District.
(Crime No.53 of 2020)

.. Respondents / Complainant

3. Seevalaperiyal

... Respondent/Defacto Complainant

For Petitioner : M/s.A.Sivasubramanian, Advocate.

For Respondents : Mr.A.Robinson,
Govt. Advocate (Crl.Side) for R1 & R2

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

PRAYER :-

For Bail in Crime No.53 of 2020 on the file of the Respondent Police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Crl. Side) appearing for the respondents 1 and 2.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences under sections 294(b), 354, and 506(i) of I.P.C. and Section 4 of Tamilnadu Prohibition of Harassment of Women Act r/w. Section 3(1)(r), 3(1)(s) and 3(2)(va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, in Crime No.53 of 2020 on the file of the second respondent police, seeks anticipatory bail.

3. The defacto complainant has been notified about the listing of this case and there is no appearance on her behalf.

4. I went through the contents of the FIR. It is seen that there is no civil dispute between the petitioner/Manokaran and Muthupandi. The said Muthupandi is the employer of the third respondent herein. The third respondent is working as a maid in his house. The petitioner is said to have abused Muthupandi and the same was objected to by the defacto complainant. The petitioner is alleged to have slipped her. In this background, the impugned FIR came to be registered.

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

5. I am of the view that that petitioner had no intention



whatsoever to commit any offence under SC/ST(POA) Act. However, this observation is made only for the purpose of granting relief in this case. Even according to the defacto complainant in her original complaint the petitioner had not uttered any offending words.

6. The petitioner without prejudice to his defence in the trial undertakes to write out a hand written letter of apology addressed to the victim and also enclose a demand draft for a sum of Rs.5,000/- to the defacto complainant. The Court below shall arrange to hand over the same to the victim through respondent police. Of course this will not be put against the petitioner for any reason whatsoever.

7. Subject to these conditions, 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 No.IV, Tirunelveli 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.

8. 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/-
28/02/2020

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.IV, TIRUNELVELI DISTRICT
 - 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DT
 - 3 THE ASSISTANT COMMISSIONER OF POLICE, TIRUNELVELI CITY,
TIRUNELVELI DISTRICT.
 - 4 THE INSPECTOR OF POLICE, TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI DISTRICT.
 - 6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1CC TO Mr.A.SIVASUBRAMANIAN, Advocate, Sr.No.4560

ORDER
IN
CRL OP(MD) No.3896 of 2020
Date :28/02/2020