



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.4165 of 2020

Indira Rajith

... Petitioner/Accused No.3

Vs

State Rep.by
The Inspector of Police,
Ilanjampour Police Station,
Ramanathapuram District.
(Crime No.8 of 2020)

... Respondent/Complainant

For Petitioner : Mr.S.Muniyandi,
Advocate.

For Respondent : Mr.S.Chandarasekar,
Government Advocate (Crl.Side)

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

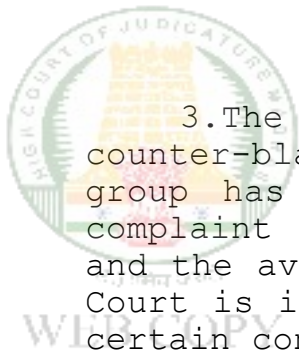
PRAYER :-

for Anticipatory Bail in Crime No.8 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 120(b), 294(b) and 506(ii) of I.P.C. and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.8 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.As per the First Information Report registered by the respondent police on 17.01.2020 at about 02.30 p.m, the petitioner and three others in drunken state intercepted the de-facto complainant/Latha W/o Kandhasamy and Shanmugavalli and used abusive language on them, accusing for not casting vote in their favour during the recent local body election. Hearing this, the de-facto complainant and her friend-Shanmugavalli, fearing threat to their life and modesty, fled away from the scene of occurrence and gave a complaint to the respondent police.



3.The petitioner would submit that it is a false case just to counter-blast the complaint given by the petitioners. The rival group has set up the de-facto complainant to give an imaginary complaint against them. On perusing the First Information Report and the averment made in the petitioner for anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

4.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, Mudhukulathur, Ramanathapuram District, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty 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 for a period of fifteen days and thereafter, as and when required for interrogation;

(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.

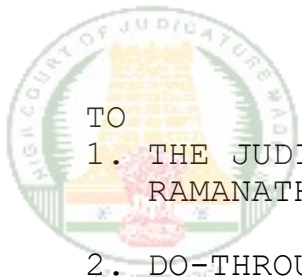
sd/-

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



TO

1. THE JUDICIAL MAGISTRATE, MUDHUKULATHUR,
RAMANATHAPURAM DISTRICT.

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

3. THE INSPECTOR OF POLICE,
ILANJAMPOUR POLICE STATION, RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-4868[I] dated 05/03/2020)

ORDER

IN

CRL OP(MD) No.4165 of 2020

Date :05/03/2020

MS/PN/SAR-3/09.03.2020/3P.6C