



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

Date : 29/05/2020

PRESENT

The Hon'ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) . No.5513 of 2020

1. Murali

2. Vanaroja

... Petitioner/
Accused No.1 & 2

Vs

State: Represented by its
Inspector of Police,
Pappanadu Police Station,
Thanjavur District.
Cr. No. 368 of 2020.

... Respondent/Complainant

For Petitioner : M/s T.A.Ebenezer,
Advocate.

For Respondent : Mr.S.Chandrasekar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No. 368 of 2020 on the
respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and
the learned Additional Public Prosecutor appearing for the
respondent.

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 294(b),
Section 4 of Tamil Nadu Prohibition of Harassment of



Women Act in Crime No.368 of 2020 on the file of the respondent police, seek anticipatory bail.

3. The case has been registered against these petitioners based on the complaint given by the sales person of the Public Distribution System Shop. According to the defacto complainant, on 15.04.2020, these petitioners along with another person picked quarrel with her while distributing PDS items to the public and they used filthy language and prevented her from discharging duty.

4. According to the petitioners, the defacto complainant contrary to the announcement of the Government, did not distribute the commodities for the month of April, which was questioned by them. Aggrieved by the same, a false complaint has been given against them.

5. Taking note of the submissions on either side, this Court is of the view that custodial interrogation is not required in this case. Hence, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Orathanadu and on their executing 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 learned Magistrate concerned and on further condition that,

[a] the petitioners 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 petitioners shall report before the respondent police as and when required.

[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.

[d] 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].



[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/05/2020

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

Note: Due to lockdown on account of COVID-19,
this order copy may be treated as true copy.

TO

1. THE JUDICIAL MAGISTRATE,
ORATHANADU.
2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE INSPECTOR OF POLICE,
PAPPANADU POLICE STATION,
THANJAVUR DISTRICT,
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.5513 of 2020
Date :29/05/2020

GNS
SRS/ VR/ SAR-II/ 01.06.2020/ 3P/5C