



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )  
Date : 19/08/2020

PRESENT

WEB COPY

**The Hon`ble Mr.Justice V.BHARATHIDASAN**

CRL OP(MD) . No.8354 of 2020

1.Vadivel @ Vadivelmurugan  
2.Vineeth

... Petitioners/Accused  
Nos.1 and 2

Vs

The State rep.by  
The Inspector of Police,  
Palayanoor Police Station,  
Sivagangai District.  
Crime No.90/2020.

... Respondent/Complainant

For Petitioners : M/s.P.Balan, 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. 90 of 2020 on the file of  
the respondent police.

**ORDER :** The Court made the following order :-

The petitioners/A1 and A2 , who apprehend arrest at the hands  
of the respondent police for the offences punishable under Sections  
448,354 and 506(i) of IPC, seek anticipatory bail.

2. Heard both sides.

3.The case of the prosecution is that on 31.07.2020 when the  
defacto complainant was alone with her daughter in their house at  
about 2.30 a.m the petitioners herein trespassed into house of the  
petitioner and also outraged her modesty and also criminally  
intimidated her. Hence the complaint.

4. The learned counsel for the petitioners would submit that  
there is a previous enmity between the petitioners and the defacto  
complainant due to which the present false complaint has been filed.

5. The learned Government Advocate(Crl.Side) would submit that  
the petitioners herein trespassed into house of the petitioner and  
also outraged her modesty and also criminally intimidated her



6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that the petitioner herein said to have trespassed into the house of the defacto complainant and only tried to outrage the modesty of the defacto complainant this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thirupuvanam on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each 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 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 daily at 10.30 a.m., for a period of four weeks.

(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;

(e) 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]**; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
19/08/2020

/ TRUE COPY /

/08/2020  
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



**Note :** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1.THE JUDICIAL MAGISTRATE, THIRUPUVANAM.
- 2.DO THROUGHT THE CHIEF JUDICIAL MAGISTRATE,  
SIVAGANGAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,  
PALAYANOR POLICE STATION,  
SIVAGANGAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN  
CRL OP(MD) No.8354 of 2020  
Date :19/08/2020

AAV  
TK/PN/SAR.3/21.08.2020/3P/5C