



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

Date : 16/12/2020

PRESENT

**The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN**

**CRL OP(MD) . No.14833 of 2020**

Kalidoss

... Petitioner/Accused No.2

Vs

The Inspector of Police,  
Virudhunagar Rural Police Station,  
In Crime No.606 of 2020,  
Virudhunagar District.

... Respondent/Complainant

For Petitioner : M/s.R.Rajamohan,  
Advocate.

For Respondent : Mr.R.Erottuchamy,  
Government Advocate (Crl.Side)

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

PRAYER :-

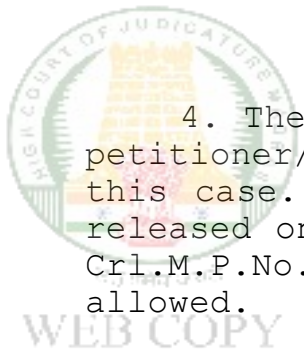
For Anticipatory Bail in Crime No.606 of 2020 on the file of  
the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A2, who apprehend arrest at the hands of the  
respondent police for the offences punishable under Sections 294(b),  
341, 506(i) of IPC and Section 4 of TNPHW Act, seeks anticipatory  
bail.

2. Heard both sides.

3.The case of the prosecution is that A1 and the defacto  
complainant had love affairs and A1 had promised to marry her, but,  
before two years from the date of occurrence, he stopped to speak  
with the defacto complainant prior to the date of occurrence, hence,  
the betrothal ceremony was conducted by the defacto complainant.  
Due to that motive, on 02.10.2020, at about 11.30 am, A1 had come to  
the defacto complainant's house and abused her mother in filthy  
language and wrongfully restrained her and also threatened to kill  
her, if she did not arrange the marriage between her daughter and  
A1, further A1 had sent the photo, which he had taken along with the  
defacto complainant to A2 through whatsapp and stopped the marriage  
of the defacto complainant.



4. The learned counsel for the petitioner would submit that the petitioner/A2 is an innocent and he has been falsely implicated in this case. He would also submit that A1 in this case was already released on bail by the Judicial Magistrate No.II, Virudhunagar, in Crl.M.P.No.3990 of 2020, on 19.10.2020 and prayed the petition to be allowed.

5. The learned Government Advocate(Crl.Side) submitted that the investigation is pending. He would also submit that co-accused/A1 in this case was released on bail by the Judicial Magistrate No.II, Virudhunagar, in Crl.M.P.No.3990 of 2020, on 19.10.2020.

6.Taking into consideration the facts and circumstances of the case and also taking note of the fact that co-accused/A1 in this case was released on bail by the Judicial Magistrate No.II, Virudhunagar, in Crl.M.P.No.3990 of 2020, on 19.10.2020, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No,II, Virudhunagar on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties (one Blood relative) 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 period of three weeks 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



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

sd/-  
16/12/2020

WEB COPY

/ TRUE COPY /

/ /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 NO.II, VIRUDHUNAGAR

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3.THE INSPECTOR OF POLICE,  
VIRUDHUNAGAR RURAL POLICE STATION,  
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.R.RAJAMOHAN Advocate SR.No.8257

ORDER  
IN  
CRL OP(MD) No.14833 of 2020  
Date :16/12/2020

LS  
PK/SMA/SAR-II/22.12.2020 : 3P/6C