



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

Date : 02/08/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.1127 of 2021

Gururajan

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
All Women Police Station,
Madurai Town,
Madurai.
Crime No.2 of 2021.

... Respondent/Complainant

For Petitioner : Mr.M.MURUGESAN,
Advocate.

For Respondent : Mr.T.SENTHIL KUMAR,
Government Advocate (Crl.Side)

For Intervener : Mr.R.KARUNANIDHI, Advocate

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

PRAYER :-

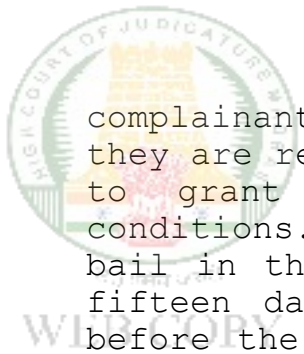
For Anticipatory Bail in Crime No.2 of 2021 on the file of the
Respondent Police

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the
respondent police for the alleged offence punishable under Sections
498(A), 406 and 506(i) I.P.C in Crime No.2 of 2021 on the file of the
respondent police, seeks anticipatory bail.

2.When the matter is taken up for hearing today, the learned
counsel for the petitioner and the learned counsel for the defacto
complainant submit that pending this petition, the matter has been
settled between the parties and the defacto complainant has agreed
to withdraw the complaint made by her and they also sought
permission to file a compromise memo before the Court.

3.Considering the submission made by the learned counsel for
the petitioner as well as the learned counsel for the defacto



complainant that the matter between the parties has been settled and they are ready to file a memo to that effect, this Court is 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Additional Mahila Court, Madurai, on condition that the petitioner shall execute 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:

(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 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/ petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
02/08/2021

/ TRUE COPY /

/ /2021
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 ADDITIONAL MAHILA JUDGE,
MADURAI.
2. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
MADURAI TOWN,
MADURAI.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP (MD) No.1127 of 2021
Date : 02/08/2021

SA/VR/SAR.2/09.08.2021/3P/4C