



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

Date : 15/02/2021

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PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) . No.1716 of 2021

Ranjith

... Petitioner/Accused
Rank Not Known

Vs

The State rep.by
The Inspector of Police,
Aranthangi Police Station,
Aranthangi,
Pudukottai District.
Crime No.37/2021.

... Respondent/Complainant

For Petitioner : Mr.M.Silambarasan,
Advocate.

For Respondent : Mr.M.V.Chandrasekaran,
Government Advocate (Crl.Side)

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

PRAYER :-

For an Anticipatory Bail in Crime No.37 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who is arrayed as A5, apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 427, 448 and 506(ii) IPC r/w. Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused persons were scolded the defacto complainant by using filthy language and assaulted her with dire consequences and damaged the household articles, worth about Rs.1,00,000/-. Hence, the present complaint.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the

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4.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that due to some previous enmity, the defacto complainant preferred a false complaint and hence, he prayed for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that due to previous enmity, the petitioner and other accused persons were scolded the defacto complainant by using filthy language and assaulted her with dire consequences and damaged the household articles, worth about Rs.1,00,000/-.

6.Considering the facts and circumstances of the case and also considering the fact that the injured person discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

7.Accordingly, the petitioner is directed to deposit for a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** in Crime No.37 of 2021 before the Judicial Magistrate, Aranthangi, without prejudice to his rights and contentions before the trial Court. On acknowledgment of the same, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Aranthangi, 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 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 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.

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15/02/2021

/ 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 JUDICIAL MAGISTRATE, ARANTHANGI.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
3. THE INSPECTOR OF POLICE,
ARANTHANGI POLICE STATION,
ARANTHANGI, PUDUKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1716 of 2021
Date : 15/02/2021

LS
TK/VR/SAR.1/22.02.2021/3P/5C